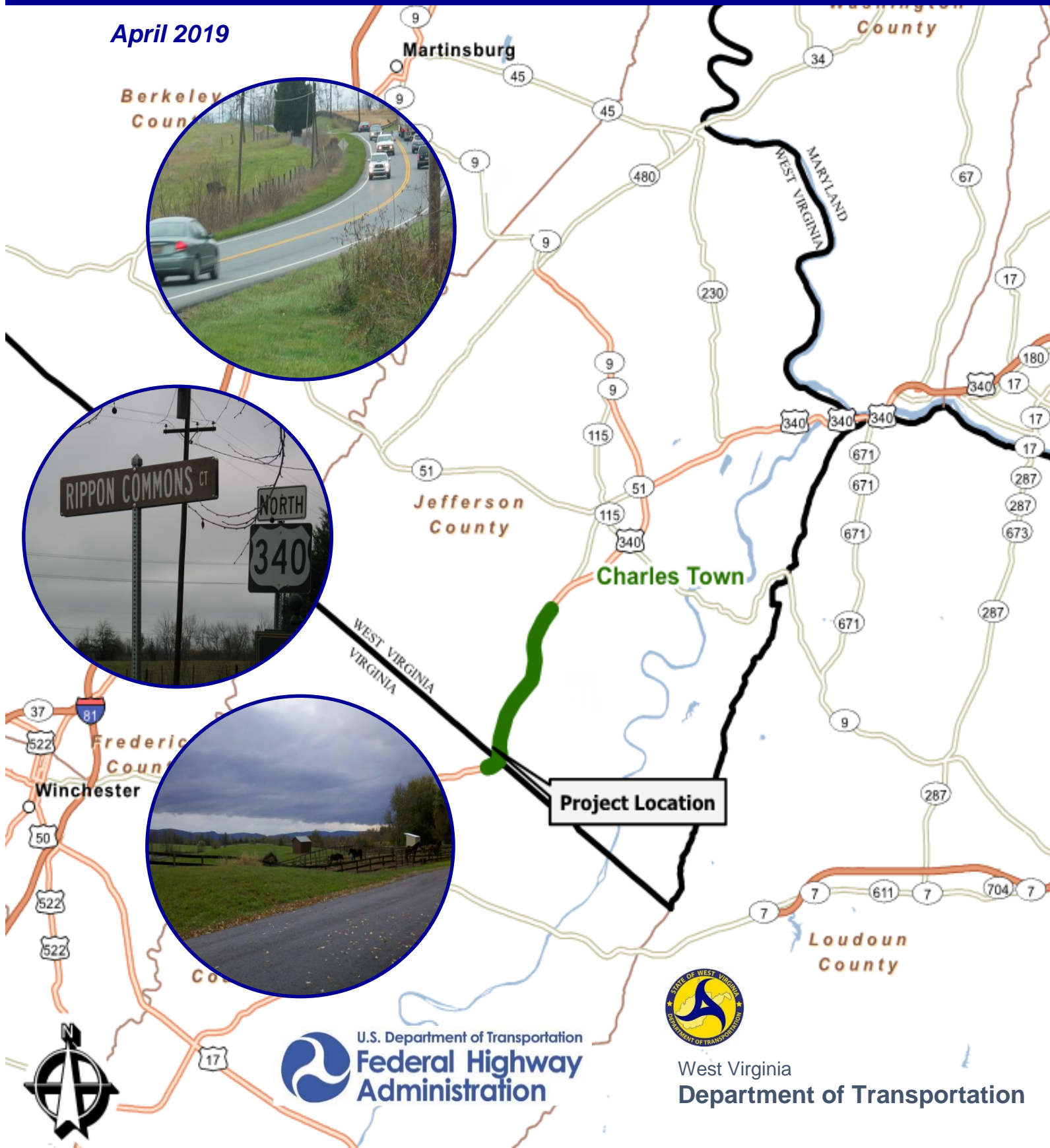


# Final Environmental Impact Statement

## US 340 Improvement

Jefferson County, West Virginia

April 2019



# SECTION VIII

## Comments and Coordination

## **VIII. COMMENTS AND COORDINATION**

### **A. INFORMATION WORKSHOP – SEPTEMBER 24, 2012**

An Informational Public Workshop was held on September 24, 2012 at the Page-Jackson Elementary School in Charles Town, WV. The purpose of the workshop was to provide an update on the progress of the US 340 Improvement Study since the last public workshop was held in 2003. At that time, Alternate 4 was selected as the Preferred Alternate. Since that time, additional build alternates 4A and 4B were developed to minimize impacts to historic resources and residential properties affected by Alternate 4. These new build alternates were the focus of the workshop. The attendance sheet shows that 92 individuals registered for the workshop.

A comment form was included in the project handout and available for pickup at the registration station. Attendees were encouraged to provide their written comments using the forms. Following the workshop, 24 written comments were received by the study team along with copies of letters (3) sent to elected officials.

Over half of the comments received stated opposition to Alternates 4, 4A, and 4B due to the impact on Ryan's Glen subdivision. Three of the comments expressed preference for Alternate 4. Three others requested bicycle facilities. The remainder of the comments favored a particular alternate, requested a limited access facility with frontage roads, identified a new alternate, or wanted the project to avoid their property.

### **B. PUBLIC WORKSHOP/HEARING – JUNE 3, 2013**

A Public Workshop and Public Hearing was held on June 3, 2013 at the Page-Jackson Elementary School in Charles Town, WV. The purpose of the workshop was to provide an update on progress of the US 340 Improvements Study and to receive formal comments on the project. The focus of the workshop was on the previously presented Alternates 4, 4A, and 4B plus newly developed Alternates 4C, 10A, 10B, and 11 which were developed following public comments received at the September 24, 2012 Public Workshop. Again, the primary driver in development of additional project alternates was minimizing impacts to historic resources and residential properties. There were 122 individuals who registered for the workshop and 20 who signed up to speak at the Public Hearing.

There was a wide variety of responses included in the comments received following the Public Workshop/Hearing. There were 49 written comments received. Eight favored Alternate 4, three favored Alternates 4A or 4C, one for Alternate 4B, two favored eliminating Alternate 11, thirteen wanted Alternates 10A and 10B to be eliminated, two wanted Alternates 4, 4A, 4B, and 4C to be eliminated, seven were in favor of Alternate 11, four opposed all build alternates, three wanted the project to move forward quicker, two wanted to be added to the mailing list, and two were in general favor of the project.

### **C. PUBLIC WORKSHOP/HEARING - AUGUST 30, 2016**

A Public Workshop and Public Hearing was held on August 30, 2016 in the Council Chambers at City Hall in Charles Town, WV. The purpose of the workshop was to provide an update on progress of the US 340 Improvements Study and to receive formal comments on the project. The focus of the workshop was on Alternates 4, 4A, and 4B with Alternate 4A being presented as the Preferred Alternate as identified in the approved SDEIS (July 2016). There were 65 individuals who registered for the workshop and 9 who signed up to speak at the Public Hearing.

A project handout (see Appendix X) was available to anyone who attended the meeting along with copies of the approved Supplemental Draft Environmental Impact Statement. Maps depicting the Alternates 4, 4A, and 4B were available for viewing. Representatives from the Federal Highway Administration, West Virginia Division of Highways and their consultant team, and the Virginia Department of Transportation were available to answer questions.

There were eight written comments (see Appendix X) received during the comment period following the public workshop/hearing. In general, there was overall support for the improvements and, in particular, Alternate 4A. Other comments received are summarized below:

- Maintain/replace natural vegetation to screen property from the new highway.
- Preserve the historic nature of the Kabletown Historic District.
- The Joseph Bell Spring is a highly important environment resource.

- Support for Alternate 4A but requests advance acquisition of developed parcels to save WVDOT money.
- Consider landscape buffer/embankment to abate noise and visual impacts to Ryan's Glen.

A copy of the transcript from the public hearing is included at the end of this section.

# September 2012 Workshop Comments



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: LYN WIDMYER

Mailing Address (including Zip Code): 1434 Cattail Run  
Charles Town WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

- (1) A public hearing needs to be scheduled
- (2) alternative routes to 4A, B, C, need to be studied
- (3) landscaping needs to be shown
- (4) a behopath needs to be included
- (5) what is relationship to newer, more stringent stormwater regs adopted since 2003?
- (6) how can this situation be avoided in the future -- ~~no~~ notification to prospective home buyers must be provided when r-o-w alignments are under review
- (7) Homes built since 2003 should ~~not~~ be ~~taken~~ avoided - These folks bought without any idea of r-o-w impact.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

**Contact Information [Please Print]**

Name: Steve Stoliphe 304 283 0614

Mailing Address (including Zip Code): PO box 37  
Rippon WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I Like the proposed Routes that  
you have picked.

When you print your maps  
please remove the Bullskin Historic  
District. There is no such thing!!!

The land owners voted not to  
have a Bullskin Historic District  
therefore it does not exist.

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"





US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Michael Brust  
Mailing Address (including Zip Code): 201 Ryan's Glen Drive, Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

As a member/resident of the Ryan's Glen subdivision,  
my family is directly impacted and displaced by any  
of the Alternate selections whether it is 4, 4A, or 4B.  
I would like to ask that the entire process be stopped  
and opened up to public discussion in an open forum. There  
appears to be little concern for any of the 14 homes  
in our new subdivision which was approved by the  
County after they knew of the plans for 340. Would  
you please consider reassessing these proposals to  
include re-evaluating Alternate 5. Thank you.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Greg Bonar

Mailing Address (including Zip Code): 1108 N. Mildred St. Runson W. VA

Greg.bonar@ftr.com 25438

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

It looks like that most of the telephone lines will have to be moved from one side of the road or the other and also the switch in Rippon is right on the ~~edge~~ edge of all 3 plans 4r 4A, 4b. Once you decide which one you are going to use please get back in contact with me at my e-mail address. Then I can give you a price. Thanks Greg

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Bradley Grubb  
Mailing Address (including Zip Code): 118 Catty Ct, Charles Town WV  
25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I appreciate the workshop. However the data presented was not current. The maps display 2002 data and is factual inaccurate. Your cost data is materially misrepresented.

Alternates 4 4A, + 4B are no longer the most economical. A revision is needed. Please consider moving 4 to the west to avoid the 3 new homes. This will prevent \$1.5 million in unnecessary relocation costs. Please reconsider + make slight adjustment. You can easily develop 4C that avoids Ryan's Glen all together.

I formally request a public hearing to discuss this in a transparent manner.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Kristin Grubb

Mailing Address (including Zip Code): 118 Cutty Ct. Charles Town

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I want you to revisit other options besides 4, 4a, and 4b. It is impossible to make an informed decision when you only update these options and not the other alternatives they were originally compared to. I think it is a sad misgovernance to know that a subdivision is going to be affected no matter what and continue to allow new homes to be built in the path of all options. The lack of information is intolerable. I moved to West Virginia into my new home in Ryan's Glen, in June of 2012. For us to not be notified better of these plans is injustice. We could not know about the 340 project coming from out-of-state when no information was available online. Policies need to change.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Chad Elliott

Mailing Address (including Zip Code): 250 Ryan's Glen CHARLES TOWN, 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I'm a VETERAN... thanks for Nothing!

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

**Contact Information [Please Print]**

Name: Bill Chesley

Mailing Address (including Zip Code): 151 Packer Dr. Charles Town WV  
25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

HAS ANYONE ASKED ABOUT A OFF ROAD  
Bike PATH. OR BIKE PATH  
WASHINGTON TO D.C.

Multiple horizontal lines for writing additional comments.

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Carolyn Lee Zirkle (John's Family Restaurant)  
Mailing Address (including Zip Code): Box 219  
Rippon, W. Va. 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Thank you!!!  
I thank you!!!  
I will get away from Gun  
Range!

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: \_\_\_\_\_

Mailing Address (including Zip Code): \_\_\_\_\_  
\_\_\_\_\_

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Please consider providing limited access points without the future potential for more accesses. Please provide for frontage roads where possible.  
Please provide either parallel bike route on a separate ROW or along the edge of the road dedicated to bike/pedestrian access.

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"





US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

**Contact Information [Please Print]**

Name: Bill Chesley

Mailing Address (including Zip Code): 151 Packer Dr.  
Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Alternate 4 OK, Better Than 80%  
WV Biking Path looking At 340 Road  
Washington to N.C. Bike Path At 340 Road  
BE SURE BIKE PATH ALONG ROAD IS BIG  
ENOUGH

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US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Becky Kingsberry

Mailing Address (including Zip Code): 194 Ryans Glen Dr  
Charles Town WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

We need to have other alternatives for  
this studied / reviewed. The current  
alternatives impact a new community of  
home owners of which 3 have just recently  
we purchased their homes & moved in.  
Our community members purchased homes  
in the Ryans Glen Community in good faith.  
Apparently someone forgot to mention these  
plans to us when we were looking to  
buy. Wouldn't the county and the builder  
have known about this already??  
Again, we propose for the other alternatives  
to be looked at again.

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Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

**Contact Information [Please Print]**

Name: LINDA J. HAUGHTON  
Mailing Address (including Zip Code): 201 Ryans Glen Drive  
Charles Town, WV. 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

My family would like you to reaccess your  
options to include the railroad tracks -  
the trailer park or moving the road in  
back of alternate # 5. That is all farm  
land and in our opinion wouldn't have  
a great impact on the Ryans Glen Subdivision.  
This was done along Rt. 9 thru the apple  
orchard going towards Martinsburg.  
We can't go into bankruptcy over a highway!  
This is what will happen to us if you put  
the highway on Alt. # 4A/4B

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

Contact Information [Please Print]

Name: Deanne Morton

Mailing Address (including Zip Code): PO Box 58 - 2446  
Berryville Pike, Rippon, WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

4 B should be the chosen Rt,  
as it interferes with fewer residences.

Multiple horizontal lines for additional comments.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name:

Carolyn Zurble (John's Restaurant)

Mailing Address (including Zip Code):

Box 219  
Rippon, W.V. 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Thank you !!

Thank you !!

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

Contact Information [Please Print]

Name: Kelly Timbrook

Mailing Address (including Zip Code): 110 Ryans Glen Dr, Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Please don't destroy my home! I placed my life savings into it. I am a WV native, and I was so happy to be able to find a place like Ryans Glen. I had NO IDEA that my dream home would turn into this waking nightmare. "Dan Ryan" had to know about this, & still they built. Did they say anything or tell me? Of course not! I would never have gambled with my life's work/savings and purchased a house, only to have it razed w/i five years. No one in their right mind would. To have something like this sprung on me had caused severe emotional distress and sleeplessness. I also ask, "How could WV DOT or Jefferson County or others do this to our community - because Ryans Glen is just that." I also wonder how someone like Lou Athey can sleep at night - probably just fine, because →

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<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

he has his money. And in reviewing the "Comparative Summary" it appears as though our entire subdivision wasn't even taken ~~to~~ into consideration. Why not? There's got to be a better route than 4, 4a & 4b. There must be a better route than through our homes and my neighbors' lives. Please stop this miscarriage of justice.

I also STRONGLY object to the notion that "we should have known" about this. I do not own a crystal ball. ~~As~~ Again, no one during my entire home-buying process said word one about this. We are not stupid - we would never have settled in a community that had the like expectancy of a common house fly!

I am sure there are hundreds of people facing this horrible situation. Please do the right and honorable thing - re-route this road!

Kelly Timbrook  
110 Lyons Glen Dr.  
Chas Town —  
WV 25414

2007 - moved up

ENC

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US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

**Contact Information [Please Print]**

Name: Keely Timbrook  
Mailing Address (including Zip Code): 110 Rogers Glen Dr, Char Town 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

After speaking w/ the majority of officials present, several things concerned me: No date could/ would be provided; lack of communicative and information that persuaded this "into gathering; why did we have to find out about this via informal channels?

And, why can't the previous routes be re-evaluated? For example, Alt 5 -> push it further EAST, away from our subdivision, as well as from Wayside Farm.

Project Information and Comment Sheets can be found online at our web page:  
<http://go.wv.gov/dotcomment>  
Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

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3





US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: THOMAS HAUGHTON

Mailing Address (including Zip Code): 201 RYANS GLEN DR.  
CHARLESTOWN, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

THIS PROJECT IMPACTS MY HOME, MY FAMILY  
MY LIFE. THERE NEEDS TO BE MORE  
STUDY INTO THE ALIGNMENT OF THE  
ROAD.

THE STATE'S LAW FOR COMPENSATION COMES  
NO WHERE NEAR WHAT I PAID FOR THE PROPERTY  
AND WILL PUT ME ON THE STREET AND  
BANKRUPT.

I WAS NEVER INFORMED ABOUT THE ROAD  
BY ANY ONE.

THERE ARE OTHER ALTERNATIVES AND THE  
PROJECT SHOULD BE PUT ON HOLD

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
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**Informational Public Workshop**  
**Monday, September 24, 2012**

COMMENT SHEET – Please return on or before Wednesday, October 24, 2012

Contact Information [Please Print]

Name: Cheryl McCormell  
Mailing Address (including Zip Code): 341 Ryans Glen Dr.  
Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

The project was not disclosed to the inhabitants of Ryans Glen HOA. The Planning Commission knowingly approved the Ryans Development after the state had developed the US 340 Four-lane Improvement. This information was not disclosed to potential buyers from Dan Ryan Homes. Due to this information, all progress should be halted and options reviewed, with suitable agreement received before going forward with any construction. The WV DOT maps show areas where s's can be made to reduce the impact on Ryans Glen.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



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VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: Julie Elliott

Mailing Address (including Zip Code): 250 Ryans Glen Drive

Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

First let me say I am not against growth or progress but I  
was floored with the news of the 340 bypass coming  
thru our community! we have been here almost 3 years  
and never once was this disclosed to us. We would  
NOT have bought here had we known this was a  
possibility. The planning commission should never have  
let Dan Ryan build this community. I consider  
this to be unethical & deceitful at the very least.

I would almost rather my home be demolished than have to  
live with the decreased quality of life that will come  
with the bypass. we will never be able to sell our home now.  
There are good hardworking people that live here and  
none of us should have to pay the price for  
someone elses greed!!! Someone needs to be held  
accountable!!!

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<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



US 340 FOUR-LANE IMPROVEMENT:  
VA LINE TO CHARLES TOWN BYPASS

**Informational Public Workshop**  
**Monday, September 24, 2012**

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

**Contact Information [Please Print]**

Name: JAMES KEEL, DVM

Mailing Address (including Zip Code): PO BOX 40 (191 Myerstown Rd.)  
RIPPON, WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

See attached.

**RECEIVED**

OCT 04 2012

ENGINEERING DIVISION  
WV DOH

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



## Wayside Farm

P.O. Box 40  
Rippon, WV 25441

Mr. George Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0430

October 2, 2012

Gentlemen;

My comments deal with State Project: U-219-340-0.00(02).

I am the owner of Wayside Farm, an historic property located on Myerstown-Rippon Road. Three alternate routes for the "improvement" to US 340 are proposed.

I much prefer no improvement but of the threes alternatives 4A has the least impact on my property; and that would be my choice.

All the alternatives are likely to affect the grade of Myerstown Road and its connection with US 340. I am concerned with potential grade changes at the point where my lane intersects with Myerstown Road and their effect on storm water drainage. I await further refinement of your plan.

Yours Truly,

James Keel, DVM



# US 340 RIPPON TO VIRGINIA STATE LINE

WV Senators Unger & Snyder must have your comments to make them a matter of record on the Senate Floor.

The bottom line on this project is lack of information, education, interaction and most importantly DISCLOSURE, communication between Planning, Zoning, Commissioners and the DOH as well as the legislative elected body.

The homeowners in Ryans Glen HOA were not in the loop.

Communication must be up front.

DOH could initiate eminent domain without your comment(s)

Mail To: Mr. Gregory Bailey, PE - Director, Engineering Division - WV Dept. of Highways  
State Capitol Complex, Bldg. 5 - 1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

**COMMENT SHEET – Please return on or before Wednesday, October 24, 2012**

### Contact Information [Please Print]

Name: Bill Chesley

Mailing Address (including Zip Code): 151 Packett Dr. Charles town, WV. 25414

B Chesley @ Frontier Net. Net

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

- Big MAPS ON TABLE UP TO DATE! (old)
- WV BIKE PATH ACROSS WV LOOKING AT THIS ROUTE ALONG ROAD
- WASHINGTON TO N.C. BIKE ROUTE LOOKING AT THIS ROUTE ALONG ROAD.
- SOUNDS LIKE BRIDGE WILL OPEN IN NOV.
- ALTERNATE 4, WHAT DOES IT TAKE IN HOUSES.
- NAMES OF BUSINESSES THAT HAVE TO BE RE-MOVED.
- ALT. 8+9 TO COSTLY.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

**Lucy M. Athey  
1788 Fairway Drive  
Fernandina Beach, FL 32034**

October 3, 2012

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

Dear Mr. Bailey,

I was unable to attend the Public Workshop on 9/24/12 concerning the US 340 Improvement Project. Since then I have received detailed information on your probable plans.

First, I would like to state that I can appreciate that often the condemnation process is necessary for the public good. Concurrent with this process is the need for the government to treat affected property owners in a fair and equitable manner.

Herein lies the problem. Recently I purchased the nine-lot subdivision known as "Oak Hill" with the stated purpose of selling these lots for residential development. This project has received final plat approval with the necessary agencies and I was ready to consummate a sale when I received notice of your probable intent. This of course put everything on hold since all three alternatives (4,4A, &4B) greatly impact my development.

Regardless of the route chosen my development has gone from a tranquil setting adjacent to the village of Rippon to being intersected by a four-lane highway.

Again, I fully appreciate your need to upgrade the road but in the process you have already greatly injured me because I can no longer market my property. If this were my residence I could enjoy it until such time as you start your condemnation process, which may well be many years coming. This is not the case for me. "Oak Hill" is my business and as such I am paralyzed until such time as you make a decision. I can think of no other business that would be similarly impacted.

US 340  
10/3/12

Page 2

Therefore, it is my hope that you would compensate me at this time for my property to accommodate the highway and to maintain a fair and equitable treatment of me as a devastated property owner.

Submitted Respectfully,

Lucy M. Athey





October 5, 2012

Mr. Allen Wilson  
317 Ryans Glen Drive  
Charles Town, WV 25414

Re: Defeating the Proposed US Highway 340 Relocation

Dear Mr. Wilson:

I felt it necessary, out of respect for the situation you find yourselves in, to send a letter directly to you. Having been born into a family of homebuilders, building homes is all I have ever done. The most satisfying part of my job is watching neighborhoods and communities grow and thrive where there was nothing before. Providing a home for good folks to enjoy for many years is the whole purpose of why I wanted to build homes. Therefore, I was disturbed, concerned, and quite frankly, shocked to learn that a proposed relocation of US Highway 340 could result in the loss of your home.

Although it may be obvious, Dan Ryan Builders and I were not aware of this proposed plan. When the article came out last week, that was the first time we had heard about it. Ultimately, we learned that this plan was recommended at a 2003 meeting and then studied internally at the West Virginia Division of Highways with no further public discussions or forums until this year. In April 2005, we signed a contract to purchase the home sites at Ryan's Glen, and two years later in April 2007, we were able to purchase the first home sites from the owner and developer and begin building. At no time were we made aware of this plan or any public hearing discussing this plan, either by the state or county governments, or by the developer who sold these home sites to us and lived in the community himself.

Though I wanted to share that history, the main purpose of my letter is to make sure that you are aware that this decision is not yet final. It is imperative that you submit written objections to this plan on or before Wednesday, October 24, 2012. Visit the following website: <http://go.wv.gov/dotcomment> and click on "Comment on Engineering Projects", then "Open." Then, click on "US 340 Project." You may then submit your comments online, or print the comment form, complete it, and send it to this address:

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

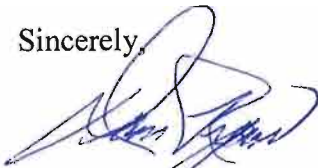
CORPORATE OFFICE

This comment period will be the most direct way to have your voice heard on this issue, but it is not the only way. Below are some resources that you may find helpful in preventing any highway plan that affects you and the homes in your community.

1. Herb Snyder, West Virginia State Senator, Jefferson County, (304) 725-6174
2. Tiffany Lawrence, West Virginia State Delegate, Jefferson County, (304) 340-3152
3. Shelley Moore Capito, U.S. Representative for West Virginia's 2<sup>nd</sup> Congressional District, (304) 264-8810 or (202) 225-2711
4. Jay Rockefeller, U.S. Senator from West Virginia, (304) 262-9285 or (202) 224-6472
5. Joe Manchin, U.S. Senator from West Virginia, (304) 264-4626 or (202) 224-3954

I truly hope that you, your families and your neighbors can change the course of this proposed plan.

Sincerely,



Dan Ryan  
President  
Dan Ryan Builders, Inc.

cc: Herb Snyder, West Virginia State Senator, Jefferson County  
Tiffany Lawrence, West Virginia State Delegate, Jefferson County  
Shelley Moore Capito, U.S. Representative for West Virginia's 2<sup>nd</sup> Congressional District  
Jay Rockefeller, U.S. Senator from West Virginia  
Joe Manchin, U.S. Senator from West Virginia



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • (304) 558-3505

Earl Ray Tomblin  
Governor

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

November 8, 2012

The Honorable Joe Manchin III  
United States Senate  
300 Virginia Street East, Suite 2630  
Charleston, West Virginia 25301-2523

Dear Senator Manchin:

Thank you for your letter, dated October 10, 2012, on behalf of your constituents Mr. Michael Brust, Ms. Kelly Timbrook, and Ms. Debbie Wilson concerning impacts to their property from proposed US 340 in Jefferson County.

The Division of Highways (DOH) has been studying this improvement since the mid 1990's which consists of upgrading US 340 in Jefferson County from two to four lanes. The project begins at the Virginia State Line and extends to the Charles Town Bypass for a distance of approximately five miles. Preferred Alternative Four was selected in 2003 due to lower construction costs, less impact to historic and residential properties, and from favorable comments received from the public at that time. Because several years have passed and the occurrence of recent residential development, the DOH determined it was appropriate to reengage the public concerning this project.

Minimization Alternatives 4A and 4B were developed in 2011 to reduce residential impacts to Ryans Glen. An additional minimization alternative has been suggested since a public meeting held on September 24, 2012, which has the potential to further reduce residential impacts. We expect to present this new information to the public in early 2013. Please know that all comments received at public meetings are made part of the official project record. Those who submit comments will be notified individually in advance of subsequent public involvement concerning US 340.

The Federal Highway Administration must approve the Final Environmental Impact Statement (FEIS) before construction plans can be developed. FEIS approval would not occur until mid to late 2013 at the earliest. Currently, no funds are programmed for construction of this project.

Again, thank you for writing and sharing your constituents' concerns. I appreciate your continued support and interest in highway matters. Should you need additional information, please do not hesitate to contact my office.

Sincerely,

ORIGINAL SIGNED BY  
PAUL A. MATTOX, JR.

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

PAM:Bc

bcc: AC, CC, CH, HD, DD(AC, MF), DDE, DDM(AS), DDR(CL)

JOE MANCHIN III  
WEST VIRGINIA

# United States Senate

WASHINGTON, DC 20510-4804

SUITE 703  
HART BUILDING  
WASHINGTON, DC 20510  
(202) 224-3954

ENERGY AND NATURAL  
RESOURCES COMMITTEE  
ARMED SERVICES COMMITTEE  
SPECIAL COMMITTEE ON AGING

October 10, 2012

Mr. Paul A. Mattox, Jr., P.E.  
Cabinet Secretary  
West Virginia Department of Transportation  
1900 Kanawha Boulevard E, Room 5  
Charleston, West Virginia 25305-0001

Dear Secretary Mattox,

Enclosed, please find communications regarding the extension plan of U.S. Route 340 and its potential effects on the Ryan's Glen subdivision from my constituents Mr. Michael Brust, Ms. Kelly Timbrook, and Ms. Debbie Wilson.

I would appreciate your looking into this matter and providing one of my staff, Lee Garton, with a reply.

Sincerely,



Joe Manchin III  
United States Senator

JM/lg

OCT 15 2012

Mr. Michael Brust  
201 Ryans Glen Drive  
Charles Town WV 25414-4959

Good Morning Senator Manchin,

I am a resident of the Ryan's Glen subdivision in Rippon, West Virginia and in the last week I have been informed of plans to create a divided highway for route 340 from the Virginia state line to the Charles Town area. Unfortunately, the plans that we have received from the West Virginia Department of Transportation (only after a Freedom of Information Act filing I might add) show that this new road will travel directly through our subdivision of Ryan's Glen. While my home is certainly impacted by any route that comes through our neighborhood, I am terribly distressed that there is a possibility of any of my neighbors losing their homes. As a matter of fact, of the three alternative suggestions for this new road, (Alternative 4, 4A, and 4B) the three newest homes in our development, one just having been occupied in the last four (4) months, will be completely removed!

I am sure that there is a need for a new highway for US 340 and that in the long run, it will be good for Jefferson County, but to run this road through a development that is only 4 years old, is a terrible tragedy. We held an emergency community meeting last evening in the home of our HOA Board President and every one of us is hopeful that your office can lend us support in fighting this plan. We have discovered that this plan has been in the works since late 1997-1998 and even as recent as 2003. Our development was approved by the Jefferson County planning commission in 2005-2006. This was approved even over objections from Rippon residents who are willing to testify under oath that they said they should not allow a new community when a new road is going to be put through! This honestly sounds as if the decision was made to allow the development without regard to anyone that would be purchasing a home in this development and how it would affect them or their families. While I would never want to think that people would be so callous, it sure is beginning to look that way.

At the meeting last evening, a gentleman who is running for Delegate, John Maxey, also informed us that in the event that this is pushed through, even if the State of West Virginia offers us "fair" market value for our homes, it will be less than what many of us purchased our homes for several years ago due to the downturn in the economy. While many of us were not surprised at that fact, we were mortified to find out that the State of West Virginia is one of a few in the nation that would force the HOMEOWNERS to remain responsible for any mortgage amount left after the State has made their offer! Now Senator Manchin, I can tell you with certainty that we all love our homes and that we are good tax paying citizens with no plans to ever neglect our debts, but if this were to happen, I for one, and there are others in the community, would be forced into bankruptcy and financial ruin as a result of this! How can we live in the United States of America, the State of West Virginia, Jefferson County, the small town of Rippon and be forced to accept terrible personal hardship such as this? I find it so hard to comprehend that this is happening!

Senator Manchin, I am begging you to help us with this matter that is before us! There is a public meeting at Page Jackson Elementary School outside of Charles Town this evening from 4pm

until 7pm. Senator Manchin, I know that you must be a terribly busy man with tremendous responsibilities, but if you could attend, it would be a tremendous blessing to us to have your support in person. If you cannot make it, and again, I know that you are very busy, perhaps you could send a representative from your office to attend and speak with us. Again, I do not ask this lightly. You have tremendous responsibilities and burdens as our Senator, but we truly are in desperate need of your assistance.

I am very thankful for your time and attention to this matter of incredible importance to us. Please help us.

Very Respectfully,

Michael Brust  
Ryan's Glen, Rippon, Resident

Ms. Kelly Timbrook  
110 Ryans Glen Drive  
Charles Town WV 25414-4982

Dear Senator Manchin,

My name is Kelly Timbrook, and I live in Jefferson County – Ryan’s Glen, to be specific. By now, I believe your office has received word on what is happening regarding our community. My neighbors and I found out last Friday (September 21) that an informational public workshop was to be held, to discuss the US 340 Four-Lane Improvement [State Project: U-219-340-0.00(02)] on Monday, September 24, 2012. In addition, we learned, for the FIRST time, that the proposed route(s) were to cut through the heart of our community.

I recall finding my home, while I was searching for a place to live. I wanted a couple of acres and a nice house – a small subdivision in which I could get to know people, but with enough room between all of us to enjoy one of the things I treasure about West Virginia: its natural beauty. Ryan’s Glen seemed like a dream come true. I chose this place, even though it meant a 100-mile commute, daily.

I can’t speak for my neighbors, but I placed my life savings into my down payment. I believed it to be a sound investment. My closing date was Christmas Eve 2008. What a wonderful present, I thought.

Now I find out that, during this entire process, all the while, my home and my community were in the crosshairs of a demolition crew. Some of the homes slated for destruction have been occupied for a year or less!

I’m not trying to place blame, although I find it impossible to understand how Lou Athey (the land owner) and Dan Ryan Builders (the builder) could have failed to mention any of this to any/all of us. I’ve been told that the Jefferson County Planning Committee knew of the road plans in 2003 and STILL approved the construction of our subdivision, known as Ryan’s Glen Drive, Charles Town, West Virginia.

Should the route as proposed (known as 4, 4A and 4B) be allowed to be built, it will destroy our community. At least three NEW homes will be torn down, and the entire community will be adversely impacted: several lots will be smaller, to make room for the right-of-way and lanes; the noise from traffic will be increased (I don’t even want to hear some engineer tell me how noise barriers will help); property values will plummet (and who knows if we’d EVER be able to sell, because who would ever buy a house next to a four-lane highway? I know I wouldn’t); those of us who would be forced to leave would face financial ruin (in this economy, who knows if we’d ever recover); our quality of life would be destroyed – I could continue, but I hope you see my point.

Most of the homeowners in Ryan’s Glen attended the workshop. I believe most of us were shocked at the total lack of specifics available, especially by the engineers. No one would give us a time line; one of them couldn’t even describe egress from my driveway!

We were encouraged by a couple of individuals to place in writing our comments about the proposed routes. In closing, I'd like to re-state a partial summary of mine:

- Please do not destroy our community by allowing 4, 4A or 4B to be built.
- If US 340 must be widened, please re-consider Alternate 5, but move it further east. (This would save cutting a swathe through Wayside Farm, and perhaps be less of a negative impact on Olive Boy Farm.)
- None of us would have ever purchased a home in Ryan's Glen, had we known about any of this. My exact comment was, "We would never have purchased a home in a subdivision that had the life expectancy of a common house fly."
- I was told that Alternate 8 was eliminated because two bridges would have to be built. Could this route also be re-considered? Two bridges may go a long way to bridging this conflict between the WVDOT and the good citizens of Rippon. Remember, it's not just our subdivision – this impacts an entire community of people all along 340 – people who are our neighbors and friends.
- I would like to see Dan Ryan Builders and Lou Athey pay for the hardship, headache and heartache they've caused. I am not an attorney, but surely there is some relief for us via legal avenues.
- And finally, I would like our elected officials to stand with us during this trying time. I have lost sleep and work hours to this, and we're just getting started.

Please feel free to contact me at the following number (703-488-4292) if you have any questions.

I want to thank you for your time and patience, and for ANY consideration you and your esteemed office are able to bring to our effort.

Respectively yours,

Kelly Timbrook  
110 Ryan's Glen Drive  
Charles Town, WV 25414



Ms. Debbie Wilson  
317 Ryans Glen Drive  
Charles Town, WV 25414-4960

**Comments:** Ryans Glen Development

Homes were built after being approved. Homes were approved after rt. 340 alignment was public and six years later planning commission is now trying to destroy homes. Development knowingly put houses in the path of the highway realignment.

Ripon Lodge Farm  
2547 Berryville Pike, PO Box 130  
Rippon, WV 25441  
304-725-6670

RECEIVED  
OCT 22 2012  
ENGINEERING DIVISION  
WV DOH

October 15, 2012

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

Re: US 340 IMPROVEMENTS  
Federal Project NH-0340(030)E  
US 340-4 Lane Project  
State Project U219-340-0.00(0.02)  
Jefferson County  
Virginia State line to Charles Town Bypass

Dear Mr. Bailey:

After many Public Workshops (since 1998), the choice of Alternate Route #4 East of the existing Rt. 340 was the most appropriate. As stated in the Draft Environmental Impact Statement 2001, 89% of the residents felt this was the least intrusive and most financially practical path for the proposed completion of the divided highway connecting us with the completed Virginia section of Rt. #340.

Our community has been discussing the upgrading of our section of Rt. 340 since Virginia completed their part nearly 40 years ago. The anticipated path has been a serious concern for everyone in our area for decades, and the latest decision to use Alternate #4 has been well known and accepted for a long time. After so many years of worry we finally were sure of the route and have been able to plan for the future.

The entire issue has been very stressful for my family and all of my neighbors. It has affected many relationships between good friends, but over the last several years things have settled down, and most of us have assumed that the issue had been settled, and we are ready to move on with the project when financing is available.

Local, long time residents watched the development of Ryan's Glenn with concern and amazement. We assumed the developers knew what they were doing and that new residents would be aware of the Rt. 340 plans. What we saw going on did not make sense but it was none of our business, really. The developers always do what they want to do and they usually confront concerned citizens with lawyers to affirm their rights. So, most of us have learned to stay out of the other people's business. This is unfortunate because some new residents appear to be surprised, hurt and frightened by recent discussions to finally complete the project.

The Morgan family is respectful of the issues facing the new residents of Ryan's Glenn. They are in a tough spot, but so are we. Ripon Lodge Farm is on the National Historic Register. We have four generations involved in caring for our land and the preservation of our historic buildings. Any road building West of the existing highway would be devastating to us. We are a productive farm with sustainable products and management but, we could not stay in business, or justify the cost of maintaining our property, if our farm would be split by a new road. A western route would be the end of Ripon Lodge Farm and would pretty much destroy the Historic Village of Rippon.

So, we feel that the course must remain East of the present highway. Alternate #5 may solve some of the issues with Ryan's Glenn. If Alternate #4 is still the best choice, then the affected owners should be well compensated by the State and they should look to the courts for justice from the developers.

Respectfully,

A handwritten signature in black ink that reads "Rusty Morgan". The signature is written in a cursive, flowing style.

Rusty Morgan and Family

CC: Susan Pierce, WV Historian



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

**Division of Highways**

1900 Kanawha Boulevard East • Building Five • Room 110  
Charleston, West Virginia 25305-0430 • (304) 558-3505

Earl Ray Tomblin  
Governor

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

November 5, 2012

Ms. Katherine R. Mason  
Chairperson  
Eastern Panhandle Transportation Authority  
Post Office Box 869  
Charles Town, West Virginia 25414

Dear Ms. Mason:

Thank you for your letter, dated October 16, 2012, concerning your support for upgrading US 340 in Jefferson County from two to four lanes. The project begins at the Virginia State Line and terminates at the Charles Town Bypass for a distance of approximately five miles.

Your letter will be made part of the project record. The improvement of US 340 is a priority project for the West Virginia Division of Highways and we will continue to identify potential construction funding sources. Potential alignment shifts are currently being investigated that were suggested as a result of our recent public meeting. These options have the potential to minimize residential impacts. An additional public meeting is anticipated after the first of the year. The Eastern Panhandle Transportation Authority is on our project mailing list to receive updated information as it becomes available.

Again, thank you for writing and sharing your concerns. Should you need additional information, please contact Mr. Ben Hark of our Engineering Division, at (304) 558-9670 or by email at [Ben.L.Hark@WV.gov](mailto:Ben.L.Hark@WV.gov).

Sincerely,

ORIGINAL SIGNED BY  
PAUL A. MATTOX, JR.

Paul A. Mattox, Jr., P. E.  
Secretary of Transportation/  
Commissioner of Highways

PAM:Bc

cc: Governor Earl Ray Tomblin

bcc: AC, CC, CH, HD, DD(AC, MF), DDE, DDM(AS), DDR(CL), DE/M-5

Eastern Panhandle Transportation Authority  
PO Box 869  
Charles Town, WV 25414

October 16, 2012

Paul A Mattox, Secretary of Transportation  
1900 Kanawha Bl  
Charleston, WV 25302

STATE OF WEST VIRGINIA  
GOVERNOR'S OFFICE

DATE 10/22/12

Dear Secretary M

The Eastern Panh  
consideration be  
Charles Town Byp

From: **Office of Constituent Services**  
**Missy Parsons**

est that urgent  
terminus of the

We know that the  
4-lane access to a  
Town Races, Harp  
Berkeley Counties  
transportation for  
tourism industry i


Acknowledge & Refer  
To: Sec. Paul Mattox

is road will provide  
Casino at Charles  
in Jefferson and  
provide adequate  
o benefit the

Thank you for you

- PLEASE SEE ME ABOUT THIS
- Per your request
- For appropriate action
- For appropriate disposition
- Please return with recommendations/comments
- Please draft response for this office
- Please respond directly
- Please respond directly and copy this office
- This constituent has received a response from the Governor's Office
- For your information
- Other

Sincerely,

  
Katherine R Maso  
Eastern Panhandk

Comments: Please copy this office  
on your response.  
Thanks!

CC: Governor T.....  
Lee Thorne, District 5 DOH  
Senators: Barnes, Helmick, Snyder, Unger  
Delegates: Cowles, Duke, Householder, Kump, Lawrence, Overington  
County Administrators: Hammond, Keyser, McClintock  
Robert Gordon, HEPMPO

OCT 24 2012

Eastern Panhandle Transportation Authority  
PO Box 869  
Charles Town, WV 25414

October 16, 2012

Paul A Mattox, Secretary of Transportation  
1900 Kanawha Blvd East, Bldg Five, Rm 110  
Charleston, WV 25305-0430

Dear Secretary Mattox:

The Eastern Panhandle Transportation Authority would like to formally request that urgent consideration be given to the completion of Rt 340 South from the southern terminus of the Charles Town Bypass 4.0 miles to the Clarke County, VA line.

We know that there are many priorities in the state but the completion of this road will provide 4-lane access to all of the Jefferson County industrial parks, The Hollywood Casino at Charles Town Races, Harpers Ferry National Park, and all other Federal installations in Jefferson and Berkeley Counties. It is our thought that this is the most economical way to provide adequate transportation for the Jefferson County businesses and population. It will also benefit the tourism industry in the Eastern Panhandle.

Thank you for your prompt attention to this request.

Sincerely,



Katherine R Mason, Chairperson  
Eastern Panhandle Transportation Authority

CC: Governor Tomlin  
Lee Thorne, District 5 DOH  
Senators: Barnes, Helmick, Snyder, Unger  
Delegates: Cowles, Duke, Householder, Kump, Lawrence, Overington  
County Administrators: Hammond, Keyser, McClintock  
Robert Gordon, HEPMPO

OCT 24 2012

**Joseph V. Cepelka**

PO Box 14  
131 Myerstown Road  
Rippon, WV 25441

October 19, 2012

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

RECEIVED  
OCT 23 2012  
ENGINEERING DIVISION  
WV DOH

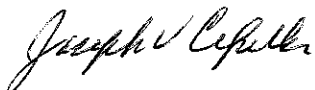
RE: US 340 Four-Lane Improvement: VA line to Charles Town Bypass

Dear Sir:

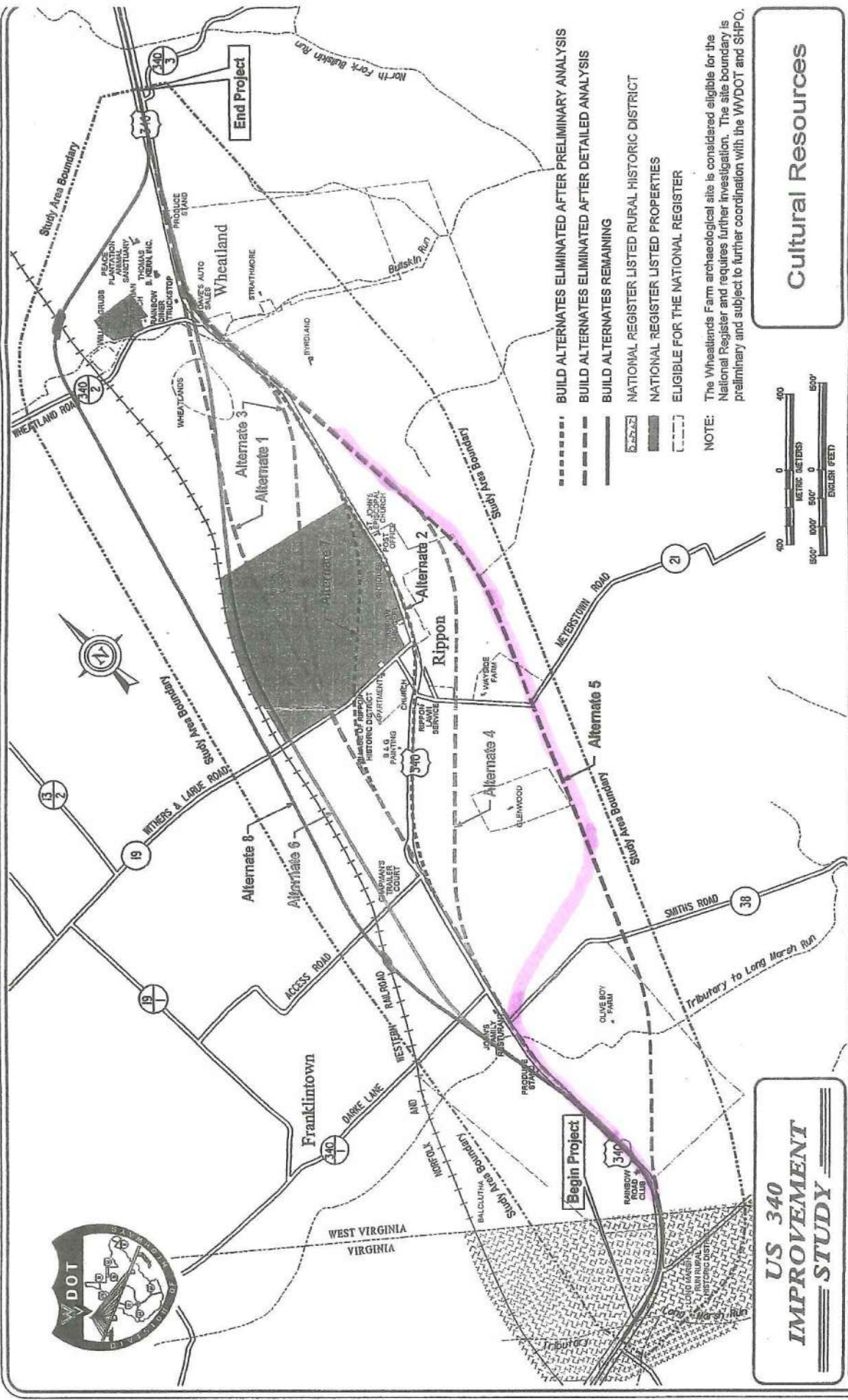
I would like to submit an idea for the path of the 340 lane improvement. I believe that option 5 needs to be looked at more closely because loss of residences would be avoided. Route 340 could be moved so that it moves east of Wayside Farm and Glenwood. Just past Glenwood it could then turn to the west and skirt south of Ryans Glen. It could then turn back to the south staying north of Smith Road. It could then also overlay the existing route 340. This option avoids cutting Olive Boy Farm in half. I am enclosing a hand drawing of this possibility. In order to save residences, some of which have been in the families for over a hundred years, I feel this would benefit both sides. If you have any questions or would like further explanation, please feel free to contact me. I can be reached on my cell phone at 304-270-8252 or e-mail at [jcepelka@frontiernet.net](mailto:jcepelka@frontiernet.net). Thank you for the opportunity to offer my suggestion.

Sincerely,

Joseph V. Cepelka  
Resident and Land Owner

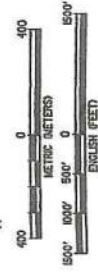


Attachment Enclosed



- BUILD ALTERNATES ELIMINATED AFTER PRELIMINARY ANALYSIS
- BUILD ALTERNATES ELIMINATED AFTER DETAILED ANALYSIS
- BUILD ALTERNATES REMAINING
- NATIONAL REGISTER LISTED RURAL HISTORIC DISTRICT
- NATIONAL REGISTER LISTED PROPERTIES
- ELIGIBLE FOR THE NATIONAL REGISTER

NOTE: The Wheatlands Farm archaeological site is considered eligible for the National Register and requires further investigation. The site boundary is preliminary and subject to further coordination with the WVDOT and SHPO.



# US 340 IMPROVEMENT STUDY

# Cultural Resources



October 20, 2012

RECEIVED  
OCT 24 2012  
ENGINEERING DIVISION  
WV DOH

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

Re: US 340 Four-Lane Improvements Study: Virginia Line to Charles Town Bypass

Dear Mr. Bailey:

Pursuant to the public workshop held on September 24, 2012 please accept this letter as my formal comments on the proposed alternatives for the new four-lane road project. My residence is located at 1505 Berryville Pike in Rippon, West Virginia. In each of the three alternatives (4, 4A and 4B) my property is depicted as property number 121. Currently, I have three access points onto Route 340 to my property which runs from Scooter Lane to Earl Ellifritz Road. Immediately south of my property is Scooter Lane (Rippon Mobile Home Park) which also accesses Route 340. There are ten total residences which access Scooter Lane and enter on to Route 340. I own six of the properties which access this lane.

Based on the information provided by WVDOH on the three alternatives which affect my property and the adjacent, please find below my comments and recommendations on each of the three alternatives:

Alternative 4: This alternative proposes utilizing the existing Route 340 roadway to access the re-aligned Route 340 with additional right-of-way being taken along the frontage of my property. The improvements in this alternative start nearest to the northernmost entrance to my property and extend to the southernmost corner along the frontage of my property. It does not appear that the roadway in this section is being widened therefore I do not see any reason for additional right-of-way needed for this option.

**Recommendation: Utilize the existing Route 340 right-of-way with no modifications to areas outside of the right-of-way.**

Alternative 4A: This alternative proposes and access road to the re-aligned Route 340 which includes a "Y" type intersection with one leg of the intersection northeast of my property and the other leg southwest of my property with the intersection of the "Y" directly in front of the main entry into my property. The southern leg of the "Y" intersection does not appear to follow the existing Route 340 roadway which results in an additional right-of-way taking on the frontage of my property.

**Recommendation: Since I own a majority of the residences on Scooter Lane and this would not be a heavily used access road, I would recommend that this access road follow the existing Route 340 roadway with no additional right-of-way taken for the**

**improvements. I have coordinated with the other residents regarding this option and have attached their signatures indicating their agreement that this recommendation is an acceptable alternative to the significant improvements in this area that are being proposed by WVDOH.**

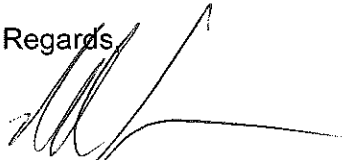
Alternative 4B: In the vicinity of my property it appears that this alternative is identical to Alternative 4A.

**Recommendation: Since I own a majority of the residences on Scooter Lane and this would not be a heavily used access road, I would recommend that this access road follow the existing Route 340 roadway with no additional right-of-way taken for the improvements. I have coordinated with the other residents regarding this option and have attached their signatures indicating their agreement that this recommendation is an acceptable alternative to the significant improvements in this area that are being proposed by WVDOH.**

**Additional Thoughts:** In an ideal world, I would like to see the community of Rippon remain intact. No community deserves to be bisected by a four lane highway. Since the unfortunate build out of Ryan's Glenn, it may be in the best interest of all to revisit Alternative 5 which bypasses the community to the east. Old Rt. 340 can be used for local traffic, connecting the new bypass at the Virginia Line and the vicinity of Wheatland Road.

I appreciate your consideration of my comments above and my recommendations. Should you have any questions or comments, please do not hesitate to contact me.

Regards,

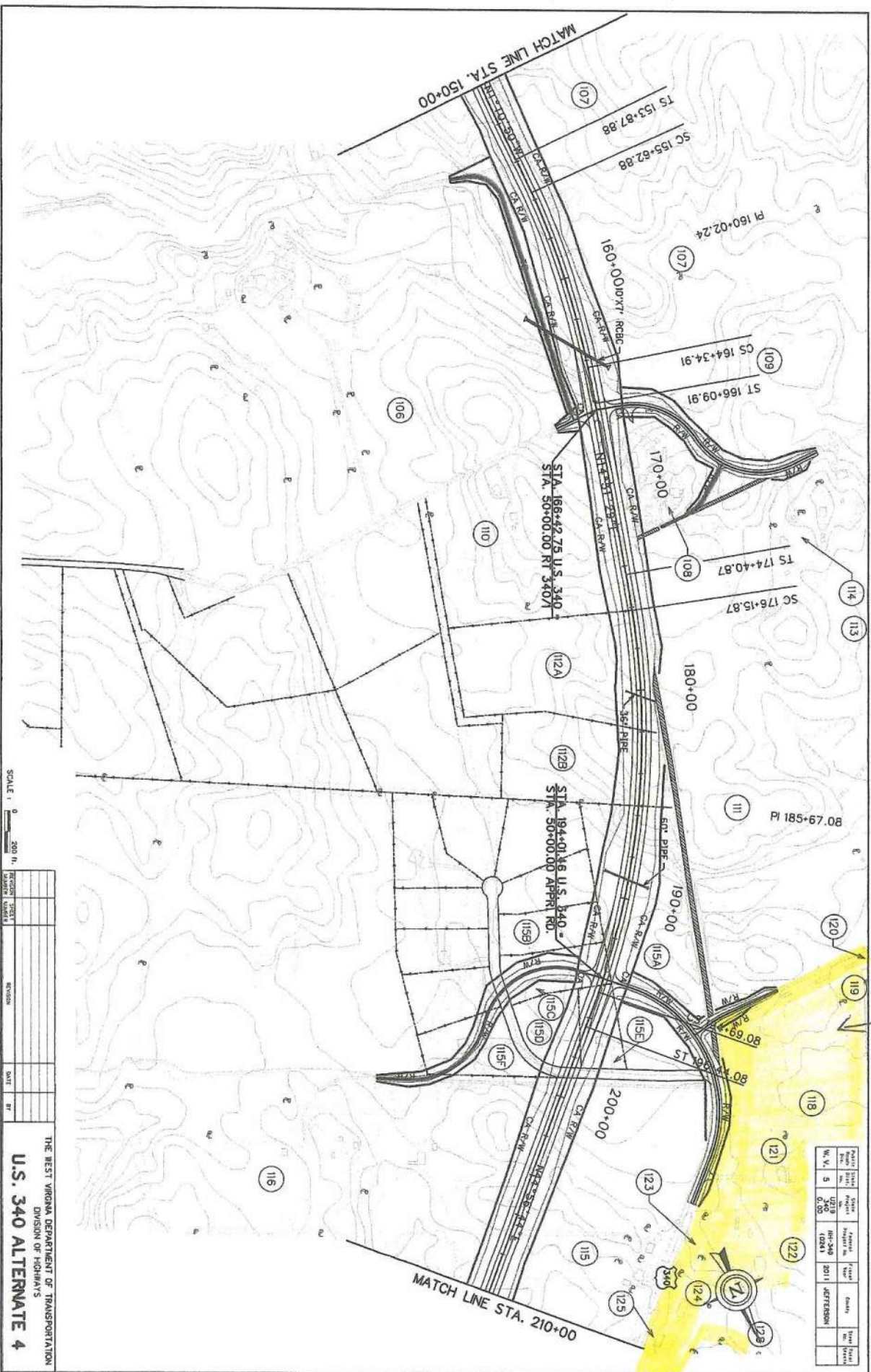


Paul Michael Chapman  
1505 Berryville Pike  
Rippon, WV 25441  
(304) 279-6297

Attachments







SCALE 1" = 200'

NO.	DATE	BY	REVISION

THE WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
**U.S. 340 ALTERNATE 4**

DATE	SCALE	PROJECT NO.	DATE	BY	REVISION
5/20/00	1"=200'	HR-340 (2881)	2011	JEFFERSON	

Property owned =   
 No changes to west side are needed.

# June 2013 Workshop Comments

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

IN THE MATTER OF:

U.S. Route 340 Project

Charles Town

Jefferson County, West Virginia

PUBLIC HEARING

The following is a transcript of proceedings held reference the above-styled matter at the Page-Jackson Elementary School located at Charles Town, Jefferson County, West Virginia, on June 3, 2013, taken by Sherry M. Lawson, Certified Court Reporter, in and for the State of West Virginia.

---

**SHERRY M. LAWSON**

*Certified Court Reporter*

*4904 Boxwood Drive*

*Charleston, WV 25306*

*304-419-6154*

APPEARANCES:

BRENT WALKER, Moderator

Director of Communications

West Virginia Department of Transportation

GREGORY BAILEY, Hearing Officer/Panel Member

Director, Engineering Division

West Virginia Division of Highways

EMILIANO LOPEZ, Panel Member

Assistant Division Administrator

Federal Highway Administration



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1           MODERATOR:    Good evening everyone. I'm Brent Walker. I'm Director of  
2 Communications for the West Virginia Department of Transportation. I'd like to  
3 welcome everyone to this evening's U.S. 340 public hearing. It's being held jointly with  
4 the West Virginia Division of Highways and the Federal Highway Administration, and on  
5 behalf of these two agencies we'd like to welcome each and every one of you.

6           It's real important that we hear from you; whether it be this evening publicly or  
7 in comments. Both are equally important. We do have a list of speakers that we are  
8 pleased to welcome and anxious to hear from. They're of equal weight. The  
9 comments; if you choose not to speak but want to provide your comments in written  
10 form that is fine as well and equally important.

11           This evening's proceedings are being recorded by a stenographer and the  
12 transcript will become part of the official project record. For those of you who prefer to  
13 submit written comments, forms for this purpose are available outside. Comments can  
14 be submitted here tonight, in writing, by email, or on our website. Any written comments  
15 or supporting materials submitted during the comment period will also become part of  
16 the project record.

17           With me tonight is Emiliano Lopez. He's the Assistant Division Administrator  
18 for the Federal Highway Administration's West Virginia Division, and Mr. Greg Bailey;  
19 he's with the Division of Highways State Highway Engineering Program and Planning  
20 Division.

21           At this time -- I know that we have a couple of elected officials -- if I could have  
22 them come over here close to the mike, we'll hear from them first. And while they're  
23 making their way there I would like to introduce to you Mr. Emiliano Lopez.

1           MR. LOPEZ:       Thank you, Brent, and more importantly, thank you all for  
2 coming this evening. For many of you I know it's probably been a long day already so  
3 we really appreciate you taking time out of your busy day to be here and provide input  
4 on this much needed project.

5           As Brent mentioned, I'm Emiliano Lopez with the Federal Highway  
6 Administration's West Virginia Division office in Charleston. The Federal Highway  
7 Administration, in conjunction with the West Virginia Division of Highways, is proposing  
8 to improve the existing two-lane section of U.S. 340, a half-mile from the West  
9 Virginia/Virginia state line to approximately two miles north of the community of Rippon  
10 in Jefferson County, West Virginia.

11           The proposed project is needed to address deficiencies that have occurred  
12 over time in operation and roadways features, as well as the need to accommodate  
13 future traffic growth so that smooth, safe traffic flow can be maintained today, as well as  
14 into the future.

15           The West Virginia Division of Highways and the Federal Highway  
16 Administration are working diligently to ensure that the project needs are met while at  
17 the same time minimizing and balancing the impacts to both the community and to the  
18 environment. We're pleased to be part of this effort and look forward to further success  
19 in advancing this project.

20           Again, our heartfelt thank-you for being here this evening and at this time I will  
21 turn the hearing over to the West Virginia Division of Highways Deputy State Highway  
22 Leader of Program and Planning; Greg Bailey. Greg?

23           MR. BAILEY:       Thank you, Emiliano. I have a couple of things I want to  
24 say. I have a prepared statement that I need to read into the record here, but a couple

1 of things is that first of all, I want to echo what has been said already and that is that the  
2 Division of Highways, particularly on behalf of Secretary Mattox, we're very grateful that  
3 you all have taken the time tonight to attend this meeting and provide us your  
4 comments. I know sometimes in dealing with government it seems like nobody is  
5 listening to you. I've been there, too, even though I work for government, but the only  
6 thing I can say to you is I do promise you that we do listen to your comments and we do  
7 read through them and we go through them. So we really are very appreciative of the  
8 fact that you all have taken a lot of time tonight and today and have committed your time  
9 and efforts to come here and provide us input. We're just very appreciative of that and  
10 just wanted to make sure to say that and thank you for that.

11           The second thing is it was brought to my attention, and this is purely  
12 coincidental -- I know that sometimes people don't believe in coincidence, but this is  
13 coincidental. There seems to have been a little bit of confusion last week. The Division  
14 of Highways, actually our Planning Division who isn't actually conducting this meeting  
15 tonight, a separate division of the Division of Highways, but they were up here in this  
16 whole Panhandle area passing out some surveys at different intersections. Some of  
17 those intersections were locally, right here, some were over in Berkeley County, and  
18 some were over in Morgan County.

19           The purpose of those surveys was it was a planning survey that was asking  
20 people to provide answers to questions, but they were also trying to get answers on  
21 what people's travel habits are. One of the things you can do like with the section of  
22 highway we're talking about tonight, is we can go out there and we can measure the  
23 vehicles passing by a particular point on a highway at any time and tell how many  
24 vehicles are passing by. But what we can't do as we measure those vehicles is tell

1 where all those vehicles are coming from; where did they start, where did they originate,  
2 and where are they going type thing.

3           So in our Planning Department we do these studies sometimes and  
4 sometimes we do them in a real hands-on way. We actually go out on the highways  
5 and pass out survey information and in that we might ask all kinds of questions.

6           What I can assure you, to the best of my ability, is those surveys that were  
7 being passed out, those are long-term type survey things that are going on, that have  
8 nothing to do with this meeting that we're conducting on this particular highway project.  
9 So we want to apologize. The timing wasn't very good on our part since it happened at  
10 about the same time as this public meeting, but it just happened; the way the schedule  
11 worked out. It's two different groups in the Highway Department. So if we caused any  
12 confusion in that manner, we apologize for that, but there is no connection between all  
13 those surveys that were done and this project today.

14           So we'll try to do a better job in the future communicating when we have those  
15 types of things going on, but I just wanted to make sure everybody is clear there is no  
16 connection between those surveys and what we're talking about tonight. These are two  
17 totally separate issues.

18           Okay, with that I'm going to move ahead here and read this statement. "The  
19 purpose of this public hearing is to provide an update on the progress of the U.S. 340  
20 Improvement Study and to receive formal comments; those can be oral or written, on  
21 the project. At the September 2012 Informational Public Workshop Alternatives 4, 4A  
22 and 4B were presented. Based on recommendations from you, the public, at the  
23 September 2012 public meeting, Alternatives 4C, 10A, 10B, and 11 were developed  
24 and they are the focus of this workshop/hearing tonight.

1           There are project maps on display at the meeting and you've seen them out  
2 here in the hallway. There are also maps in the handout that you've been given. You're  
3 encouraged to examine them and discuss the project with members of the study team.  
4 A comment sheet is enclosed in those handouts for you to provide the project team with  
5 your opinions and thoughts on this project. Please feel free to provide your comments  
6 either orally here this evening in this public hearing, or written, or you can go to our  
7 West Virginia DOH website at [www.transportation.wv.gov](http://www.transportation.wv.gov) under public  
8 comments/engineering projects/U.S. 340 Project, or you can do both. You can testify  
9 tonight at the hearing and you can still give separate written comments. Any of those  
10 means would be fine. All of those comments that are given will become a part of the  
11 official project record.

12           Comments will be accepted on the project until July 3, 2013. Following the  
13 close of the comment period, the project team will address comments in the  
14 Supplemental Draft Environmental Impact Statement to the previous Draft  
15 Environmental Impact Statement. A public hearing, just like the one we're attending  
16 tonight, will then be held on the Supplemental Draft Environmental Impact Statement. A  
17 Final Environmental Impact Statement will address the public and agency comments.  
18 Following the receipt of public and agency comments on the Final Environmental Impact  
19 Statement a Record of Decision, sometimes known as a ROD, will be published to  
20 complete the National Environmental Policy Act, known as the NEPA, process. The  
21 final design for the Preferred Alternative will depend on the availability of funding for this  
22 project.

23           Our purpose tonight is to listen to your comments and place them in the official  
24 record. All of the information you provide is important, but questions that you ask from

1 the floor will not be answered directly during the testimony. However, any question you  
2 ask during your testimony will become a part of the official record, also. You may also  
3 take the time to talk individually to our staff either as you have already prior to this public  
4 hearing or after the public hearing outside the cafeteria. But please remember only  
5 written comments and public testimony will become a part of the official record. No oral  
6 comments in discussions out here will become part of the official record.

7 With that being said, I'll now turn the hearing over to Brent Walker who has a  
8 few instructions for giving testimony before calling the first speaker. Thank you.

9 MODERATOR: Thank you, Greg. We've got Commissioner Widmyer and  
10 Delegate Espinosa in just a second. Let me just say that everyone who is speaking this  
11 evening, please remember that we are recording this hearing. When offering testimony  
12 please speak directly into the microphone and provide your full name, address, and any  
13 organization you may represent before giving your testimony.

14 We will call people to testify -- I'm sorry?

15 UNIDENTIFIED FEMALE: This is our other Commissioner here tonight;  
16 Patsy Noland.

17 MODERATOR: We'll be happy to hear from her. We didn't have her name  
18 down. Are we okay?

19 COMMISSIONER NOLAND: We're good.

20 MODERATOR: We would love to hear from you. I did not have you on the  
21 list.

22 COMMISSIONER NOLAND: That's okay, you go right ahead.

23 MODERATOR: Okay. We will call people to testify in the order in which  
24 they have signed up out front. Please come to the microphone when your name is

1 called. To provide an equal opportunity for everyone to speak we've allotted each  
2 person five minutes and we will use the traffic signal to keep things on schedule. After  
3 coming to the microphone a green light indicates that you may start. A yellow light  
4 indicates that you have one minute left. And the red light indicates that your time is  
5 over. So just please respectfully ask that you yield the microphone when you see the  
6 red light.

7 We will now hear from the first public official. Let's hear from Delegate  
8 Espinosa.

9 DELEGATE ESPINOSA: Thank you very much. I'm Paul Espinosa. I  
10 represent the 66<sup>th</sup> Delegate District in the West Virginia House of Delegates. This  
11 project does run through the 66<sup>th</sup> District.

12 I'll be brief, because I really most want to hear the comments that will be  
13 presented here this evening. I do want to take a moment to thank the West Virginia  
14 Department of Highways and the Federal Highway Administration for hosting tonight's  
15 workshop and hearing because obviously there are a lot of heartfelt thoughts on this  
16 matter and it's very important that folks have an opportunity to weigh-in on this important  
17 project.

18 I have received communications from my constituents and others in the  
19 impacted area; certainly a lot of comments about which Alternate might be preferable,  
20 but I think the issue that most resonates with me is the concern that until a final decision  
21 is made on this project many folks feel that they're very much in limbo; not knowing  
22 exactly how this project is going to impact them.

23 So my request would be that all those parties involved in this decision-making  
24 process move forward with all due haste, consistent with an open and transparent



1 process, to move towards a Record of Decision so that all the impacted parties will  
2 know where they stand in this project and can act accordingly.

3 So again, I thank you for the opportunity to speak this evening and thank you  
4 for hosting this forum.

5 MODERATOR: Thank you. Commissioner Widmyer? Commissioner,  
6 please --

7 COMMISSIONER NOLAND: No, that's okay. I may speak later. Thank  
8 you.

9 COMMISSIONER WIDMYER: My name is Lyn Widmyer. I'm a County  
10 Commissioner, and it's a pleasure being back here because both my kids went here so  
11 it's always nice to come back. I have very pleasant memories of this school.

12 I just wanted to say a few words. First of all, I know what a difficult decision  
13 this is and how this is affecting people's lives, because 35 acres of our family farm was  
14 taken for Route 9 between Charles Town and the Virginia line, and I can't tell you the  
15 pain and the difficult situation that was dealing with right-of-way and watching the farm  
16 be crossed by this road. So I understand what a difficult time anyone is having that's  
17 affected by any of these options.

18 I just wanted to make the comment that one of the things we've discovered by  
19 the Route 9 experience is what is very important is the crossroads and that the State  
20 does a very good job on planning the straightaway, but it's the local roads and how they  
21 intersect that really affect the neighborhoods. And all of these roads are at-grade with  
22 no improvements of any kind.

23 I think we need to think about that as we look at these options because the  
24 County Commission, the Development Authority and other bodies in this county are

1 looking at this section of Route 340 as an economic corridor, and these crossroads that  
2 are now planned for, you know, just what you see is what you get -- I mean, it's very  
3 important to think about what's going to happen to them in the future.

4           And I'm here, too, to listen tonight, but the only thing is I hope with the Record  
5 of Decision not being planned until 2016 -- we're in the exact same situation that led to  
6 Ryans Glen, which is there is nothing written anywhere or any official document saying  
7 that this is a corridor that's under study for new road improvements. I just hope you'll  
8 put up a sign or something so we don't have more Ryans Glen before 2016. Thank you.

9           MODERATOR: Thank you. Commissioner Noland, you reserve the right  
10 certainly, to speak.

11           COMMISSIONER NOLAND: Thank you.

12           MODERATOR: All right. The first person, and again they are in the order in  
13 which they signed up out front, but we'll begin with Franklin Adams.

14           MR. ADAMS: They said I've got five minutes so my old English teacher  
15 would be proud of me. My name is Franklin W. Adams. My address is P. O. Box 99,  
16 Rippon, West Virginia, 25441.

17           Every day we read where productive farmland, acreage, is disappearing at an  
18 alarming rate with a large amount being divided by interchanges, acceleration and  
19 deceleration lanes, and housing developments. Once this acreage has been eliminated  
20 from the landscape it is gone forever.

21           The proposed Alternative 11 will split a 30-acre field and a 15-acre woodland  
22 down through the middle, leaving access only on the other side of the highway. In  
23 addition, my cattle will only have access to water that will be on the opposite side from  
24 their pasture. That will be another headache.

1           As a side note for you nature lovers: Seth Pond is home to both migrating and  
2 nesting Canadian geese. Oftentimes cars will stop to observe mamma and papa  
3 shepherding their offspring off the road.

4           For the aforesaid reasons I am opposed to Alternative 11. In conclusion,  
5 nearly everyone is concerned that their home is impeding the path of progress. Well,  
6 Ladies and Gentlemen, I'm here to tell you my land is my home. Thank you.

7           MODERATOR: Thank you, sir. Next to speak is Lou Athey.

8           MR. ATHEY: My name is Lou Athey. I'm here representing the owner of  
9 the Oak Hill Subdivision, which is County Green LLC. My address is Amelia Island,  
10 Florida.

11           I have some appreciation for the difficulty in choosing a road for the new 340.  
12 But in the meantime my property owner is faced with enormous carrying costs including  
13 real estate taxes, maintenance and maybe most important opportunity costs. When you  
14 stretch out a decision for six or seven years it becomes quite difficult.

15           I read about the Madison Cave isopod that's an endangered species and I'm  
16 going to try to make sure that we don't fall in that same category which is, again, the  
17 way we feel, but it's obviously very difficult to choose a road, but it appears that it's  
18 pretty easy to eliminate a road. So I would ask that the roads with 4's attached; that's 4,  
19 4A, 4B and 4C, be eliminated from your consideration if, for no other reason, just  
20 because of the disproportionate number of parcel acquisitions that would be required if  
21 those roads were chosen.

22           Thank you very much.

23           MODERATOR: Thank you, sir. The next person to speak is Carolyn Zirkle.

1 MS. ZIRKLE: Yes, my name is Carolyn Zirkle and I own John's Family  
2 Restaurant and I'm very opposed to 10A and 10B.

3 I have the misfortune of living next to a gun range that has altered our lives.  
4 I'm unable to sell my home or my restaurant due to the fact that there is going to be a  
5 road somewhere, sometime. So I really would like this to be kind of in a hurry. So I can  
6 -- I can't go in my yard. We have a pool we can't enjoy because there's a gun range  
7 right in our backyard. And I would think that anybody that had a house where you can  
8 hear a gun range would be very glad that a road was going to take it.

9 I welcome you with everything of 10A and 10B, and I'll be very, very happy;  
10 thrilled. Thank you very much.

11 MODERATOR: Thank you. Next to speak this evening; John Maxey.

12 MR. MAXEY: Thank you. My name is John Maxey; 335 Old Shenandoah  
13 Trail, Harpers Ferry, West Virginia.

14 I'd like to start by saying that the lack of a Record of Decision on the part of  
15 DOH is absolutely no excuse for the Jefferson County Planning Commission's complete  
16 failure to plan. The approval of Mr. Athey's subdivision at Oak Hill, as well as the  
17 subdivision as it was currently platted at Ryans Glen is inexcusable. Mr. Glen Hetzel  
18 showed up at the public hearing in 2005 and clearly told the Planning Commission that  
19 the highway routes had been planned to go through that parcel. He was ignored and  
20 the project was approved as presented anyway. It's completely inexcusable.

21 I'd like to continue by thanking the Division of Highways for coming today to  
22 hear people, but to also point out that many of the same people in this room tonight  
23 were here to be heard ten years ago when the DOH came up in 2003. And yet, we're

1 still here, no decision has been made, we're still waiting on a Record of Decision, and  
2 apparently the funding doesn't exist to purchase or negotiate with the rights-of-way.

3           What we're doing by having this thing hang over everyone's head is turning  
4 neighbors against each other unnecessarily, and actually depriving them of the full use  
5 of their property. We have landowners and farmers that are unable to put in fence lines,  
6 sheds, barns. They can't plan; they can't really use their property.

7           We have homeowners that are unable to move, unable to refinance their  
8 homes. Everything is completely up in the air and yet there is no compensation  
9 available because without a Record of Decision there is no negotiation for the rights-of-  
10 way. So we're depriving people of their property without any provision for  
11 compensation. It's completely unfair.

12           I would urge the Division of Highways to either move rapidly towards a Record  
13 of Decision or if there's no funding available, abandon the project. Thank you.

14           MODERATOR: Thank you for your comments. And next, Mr. Glen Hetzel.

15           MR. HETZEL: I'm Glen Hetzel; 895 Smith Road; owner of a farm there.

16 Since my name has been bandied about for a number of years I wanted to have the  
17 opportunity to let you know that I do exist; I'm still in the area. The first time my name  
18 came up had to do with Athey's Folly and is now being resurfaced on that same  
19 account.

20           My main concern is the time it's taken to move this far, if there's been any  
21 movement at all. It's been more than ten years. I'm not sure I'll live to see the road be  
22 finished, if it ever is. And many of you in this room may not be around when the road is  
23 finished. My main concern then is to urge the Highway Department to find the funding,

1 move forward, and forget 2018 and move for 2015 when you start construction. Thank  
2 you.

3 MODERATOR: Thank you, sir. Next to speak is Nance Briscoe.

4 MS. BRISCOE: My name is Nance Briscoe. I live at 22 Cloverdale Place.  
5 I'm a citizen here in Jefferson County and I'm what you call a transplant. I moved out  
6 here from Los Almas, New Mexico where I never heard about homeowner associations,  
7 subdivisions, or governing documents. But I did hear about something everyone has  
8 forgotten. It's called disclosure.

9 When my husband and I came out here we met and liked a person by the  
10 name of Charlie Marcus. Some of you may know who that is. He since has died. And  
11 his son, Terry Marcus. Unfortunately he, too, has died. They had the Cloverdale  
12 Heights Subdivision of 137 lots up for sale. The developer that put our house together  
13 was Foster Eonous out of Baltimore, Maryland.

14 When we looked at the lot in 1987 before the house was built Charlie Marcus  
15 said to my husband and I, "Think before you choose that lot." At that time old 340,  
16 which is similar to what Augustine Avenue looks like, went right through the back of the  
17 property we were looking at. Two lanes; it didn't have a yellow line at that time; a lot of  
18 rabbits, some deer. We really liked what we saw.

19 Charlie Marcus and Foster Eonous, our builder, said, "Go to town. Talk to the  
20 Planning people and Engineering. Find out what the road is going to be. We have  
21 heard 340 from Charles Town somewhere near the bowling alley will be connected as a  
22 four-lane highway with a median strip." Okay. In my book that's disclosure. That's not  
23 a signed, sealed, delivered document to me or anyone else. That's a commonsense  
24 discussion using something we all appreciate; disclosure.

1           We went to town. We spoke with a gentleman by the name of Paul Raco.  
2 Paul had a map probably as big as this piece of paper is, and pencil marks all the way  
3 from town to Clarke County, Virginia state line. He said, "We don't have anything in  
4 writing. It's all discussion, but sooner or later that road is going to come through."

5 Okay.

6           We talked to a Mr. Shepp, who worked at that time -- I don't know if he still is  
7 here or not -- for Appalachia Survey. He came out and he walked my husband and I on  
8 the property and he showed us where that road was going to be removed, a guardrail  
9 would be put up, a berm would be built, and a four-lane highway would go through. We  
10 were told it would go probably as far as the Burns Farm or the Mickey Farm, which it  
11 did. Those farms intersect at Roper North Fork.

12           In my opinion, Department of Highways 26 years ago already had done  
13 studies, had done paperwork, had done maps, had spoken with people. By the time  
14 2006 got here we went through more than one engineering director, if you will, or  
15 planning person. We went through more than one set of county commissioners. We  
16 went through more than one delegate for this section. In my opinion, disclosure is not  
17 only material goods; it is what is going to happen on the outside of your property.

18           My husband and I chose to purchase the lot, and we're thankful we did. But  
19 all of you need to know something's missing in this scenario: Disclosure. So with that I  
20 thank you for being here, I thank you for the time, and I hope everyone will understand  
21 disclosure does not have to be in ink. It's commonsense. Thank you.

22           MODERATOR: Thank you for your comments. The next citizen to speak is  
23 Will Allen.

24           MR. ALLEN: I'm speaking for my son first.

1           MODERATOR:    Also, Anna; you'll be on-deck.

2           MR. ALLEN:        Good evening.  When discussing a topic that involves the  
3 removal of people from their homes it is difficult to do so without any bias.  Bias is  
4 inherent with any topic that hits so close to home.  However, one thing that is always  
5 free of bias is numbers.  Facts are always facts.  And in this case the facts are almost  
6 entirely in favor of Alternate 4.

7           Alternate 4 is the obvious route because it simply makes the most sense.  It's  
8 the most direct route, a route which saves money on the construction.  Not to mention  
9 the fact that it avoids the cost of either a) building bridges, or b) railroad relocation, as  
10 indicated by Alternates 10A and 10B respectively.  The extra costs just to appease  
11 homeowners who should have been informed of their inevitable move when it was  
12 decided in '03 would be huge.

13           In addition to costs we must also look at the most important factor of all;  
14 safety.  In the U.S. close to 50 percent of all deadly single vehicle accidents occur on or  
15 directly after and resulting from curves in the road.  Anyone with eyes can see the  
16 problems this spells for Alternates 10A and 10B.  The almost entirely straight Alternate  
17 4 -- what?  I didn't write this.  The ones on Allen Lane appear especially dangerous.

18           So, as stated, the choice is clear.  We can either choose cheap, straight and  
19 safe, or costly, indirect and potentially deadly.  After eliminating bias it's easy to see  
20 Alternate 4 is the best choice for the people of this county.  Thank you, and good night.

21           MODERATOR:    Thank you.  Anna?

22           MS. ALLEN:        Hi, I'm Anna Allen.  I'm 14 years old and I've lived on 2703  
23 Berryville Pike, West Virginia, 25441 for all of my life; the same block of land containing



1 Allen Lane and the same block of land completely severed in-half by Alternates 10A and  
2 10B.

3           Since I was little, before I even entered kindergarten in 2004, I had been told  
4 that an endangered species of birds resembling mockingbirds, are the reason our land  
5 was protected from the U.S. 340 Improvement route. Alternate Route 4 was the chosen  
6 path in 2003, the last time this issue arose.

7           Unfortunately the construction was delayed long enough for a misinformed  
8 opportunist to enter our county and build a housing development directly in the way of  
9 the newly planned 340 route. Many families now live in this development known as  
10 Ryans Glen. Due to this new group of innocent people, and other arising issues, a plan  
11 for U.S. 340 has once again come up.

12           I do realize that everyone's home is their comfort zone; the place they return to  
13 each day to relax and feel safe. My home is just that to me. But it is not only my and  
14 my family's home. Our land harbors many species, including the endangered little  
15 brown bat, seasonal butterflies, foxes, white-tailed deer, rabbits, squirrels, Baltimore  
16 Orioles, gold finches, red-tailed hawk, red-winged blackbirds, cardinals, bluebirds, barn  
17 swallows, skunks, and many more creatures.

18           We also have planted a wide variety of native trees such as White Pines,  
19 Scotch Pines, Norway Spruce, Blue Spruce, Blue Pines, Douglas Firs; the list goes on.  
20 I'm not going to read all of these, but many more. These various tree species help  
21 support a wide and healthy variety of underbrush that provides food and shelter for  
22 many animals, including a thriving population of Eastern Box Turtles.

23           Along with the box turtles there are many species of snakes, a strong  
24 population of insects and arachnids live on our land as well. Fireflies and honeybees

1 are two types of insects that can be seen regularly around our house and both have  
2 thinning populations across the northeastern U.S.

3 I've listed many species that have made homes of our land, but the one that  
4 stuck on my mind is the Butcher Bird, also known as the Loggerhead Shrike. Although  
5 I've been hearing the story all my life I've never taken the time to notice one until just the  
6 other day. It was a defining moment for me as my dad and I watched the interesting  
7 bird bob its tail back and forth, keeping its balance on the branch of a peach tree at the  
8 edge of our farm. It swooped down and took a drink, as many other birds on our land  
9 do, but it really made me think.

10 I realize that my home means a lot more to me than it does to you, but I never  
11 want to lose it and I hope that you were able to catch a glimpse of it through my eyes.

12 I realize that the residents of Ryans Glen are not at all responsible for the fact  
13 that their land was predestined to be the new U.S. 340 Route, but that isn't the fault of  
14 the people around them, either. It isn't very fair to them, but it is less fair to push the  
15 road back over on the other people.

16 Thinking practically, without personal opinion, Alternate Route 4 is the best  
17 choice.

18 MODERATOR: Thank you, and then we'll call Lewis Allen.

19 MR. ALLEN: Good evening, my name is Lewis Allen. I live on Allen  
20 Lane, directly in the path of Alternates 10A and 10B.

21 My father was born at Rippon Lodge in 1916. He lived there until the death of  
22 his mother in 1971. My grandmother unfortunately had hired an incompetent lawyer,  
23 whom I'll refer to as Bean Pickles, to help her write her will. Due to his incompetency  
24 we had to sell the house and most of our farm in order to pay the inheritance tax. I was

1 eleven years old. I couldn't understand it. We owed no back taxes, had no mortgage.  
2 Grandma died, so we owed the government more money than we'd ever seen. Why?  
3 Does anyone really own anything in this country anymore? We just rent from the  
4 government.

5 I've lived here all my life, raised my kids here, paid my taxes on time, never  
6 been to jail. I've attended most meetings concerning this project in the past and came  
7 away thinking the matter was pretty much decided on; Alternate 4.

8 Mr. Streaker, the former owner of what is now Ryans Glen, sold out and  
9 moved to Florida. Then someone decided it would be okay to build a bunch of big  
10 houses there. Whoever made that brilliant decision has to have a bad taste in their  
11 mouth after kissing all that Lou Athey and Dan Ryan backside.

12 Now they want to take my land across the railroad and crush other long-life  
13 residents on this side. I guess money talks, but it's not right.

14 So come on people on the west side. Let's get together and fight this injustice  
15 or we're going to get railroaded, literally and figuratively. Let's get the lawsuits rolling  
16 and fatten up the lawyers; a bunch of ticks on the dog of society.

17 Now for the practical side of my argument: Do these curves make any sense  
18 to you on Alternate 10A and 10B? According to the National Highway Transit and  
19 Safety Administration approximately 50 percent of fatal single vehicle accidents occur  
20 on or directly after curves there. It just doesn't make any sense.

21 MODERATOR: Thank you, sir. Next is Libby Pierce. Libby Pierce.

22 MS. PIERCE: Hi, my name is Libby Pierce. I'm a resident of Allen Lane  
23 and I have been all of my life; the farm has been in our family for 100 years.

1           It appalls me that the Planning Commission would even think that they're  
2 going to redo this road. Because of our Planning Commission's inadequacy now the  
3 Department of Highways has to revisit this, do all these new plans, and all this money  
4 because of our people.

5           I imagine that when this man -- we did not have it in writing, it was not a matter  
6 of record that we were going to use Route 4, but that man who owned that farm before  
7 Ryans Glen was there installed very expensive horse fencing and sheds. We were  
8 assured enough that Route 4 was going through that he sold that property and I imagine  
9 at a very low cost because probably whoever bought the property was well aware that's  
10 where the highway was going: "But as long as the homeowners don't know, we don't  
11 really care."

12           I'm sorry, that's it for me. Thank you.

13           MODERATOR: Thank you. Next up; Wayne Hall.

14           MR. HALL: I'm Wayne Hall. I live at 236 Allen Lane. My wife's name is  
15 Linda Allen Hall, so you know where I am leaning.

16           10A and 10B, I can't understand it. As Lewis just said, whoever heard of  
17 putting a dead man's curve -- who decides -- "Let's go down the road. Where are we  
18 going? Let's take a nice right here. Let's go up through this family farm here and  
19 actually subdivide it." And at the time the taxes, the inheritance tax, was extraordinarily  
20 high; not like it is now. And, of course, the family had to sell the farm. That is to say it  
21 happens and it still happens, but I am sorry for anybody losing their home.

22           I just found out tonight, which I tried to find out, what is the width of a dual-lane  
23 highway are they talking about? The guy gave me approximately 250 feet. I said,  
24 "Well, you know this thing that the State sent us shows Allen Lane. It shows this

1 highway going on the other side of Allen Lane," and I keep looking at it and I said, "That  
2 isn't Allen Lane. Allen Lane comes right down the property line." And, of course, the  
3 way they're doing that highway is going right up the property line. So tonight I find out  
4 my house is gone if they choose this.

5 Well, the lady that spoke said, "Disclosure". I mean, disclosure; that is the  
6 most commonsense thing I ever heard of. You're coming down a dual-lane highway, go  
7 to a single-lane highway, and you go to a dual-lane highway, and you buy a house on  
8 the side of the road commonsense tells me, "Hey, that's an awful doggone risky  
9 situation."

10 Maybe they're thinking 50/50. Maybe the highway is just going to be a two-  
11 lane there. But it comes to find out, no, they might want to take this thing to Martinsburg  
12 and bring it down, or maybe circle around down around Summit Point and bring it in. I  
13 don't know, it hasn't been decided yet.

14 That's the big thing. Who in the heck knows? We were here ten years ago;  
15 we're back again, and the Highway Department comes in and they're all nice and polite,  
16 and so glad to see you. "We're going to take your home." You know, that is just plain  
17 doggone ridiculous.

18 Why can't we just get something done? I mean, make a decision. It's easy,  
19 and do it. I mean, it's frustrating and, of course, I hate anybody losing their home, but I  
20 know there's a lot of taxpayers hate to see a lot -- maybe my land is worth 30 million  
21 dollars more. It seemed like 10A and 10B is going to be something like 26 million or 22  
22 million more. It will make a nice highway. A lot of expensive curve there, but maybe  
23 that's what they want.

1           And I want to thank everybody and I'm like quite a few others; I'm not too fond  
2 of the Planning Commission and what in the heck they did. I heard one of them was  
3 said to say, "How can we tell the man what he can do with his land?" That's true. And  
4 then you've got these speculators come in and grab up the land, and these speculators  
5 -- there's one speculator in this county that I have never heard one person say one good  
6 thing about, not one person, and then he comes up and sells it to a man that's going to  
7 build a subdivision.

8           Well, you know, that's fine, business is business, but, you know, that  
9 disclosure; is that ethical? Thank you.

10           MODERATOR: Thank you, sir, for your comments. Next to speak is David  
11 and I apologize -- is it David Tabb?

12           MR. TABB: Thank you. Good afternoon. My name is David Tabb; 107  
13 Tabb Lane, Harpers Ferry, West Virginia.

14           I don't know what to do with five minutes. You should get with the County  
15 people because, if you notice, almost everybody doesn't go to the yellow light. We only  
16 get three minutes at the County Commission.

17           We have a big problem here. The Highway Department; you can't trust. The  
18 County Commission; you can't trust. How do I know that? Because for the last six  
19 years I've taken them to court. I've been deemed guilty of practicing law without a  
20 license.

21           You, the people sitting here in front of me, this is our home. My family has  
22 been here for almost 200 years. Everybody that drove here today touched the road that  
23 my grandfather built. We didn't have the Highway Department. We had the Jefferson  
24 County Roads.

1           Then after the hard work and money that we, the people of Jefferson County;  
2 whether you've only been here one day or you've been here 200 years -- we did this.  
3 We built the infrastructure. We made this our home.

4           It starts here. The county is in bad shape. The state is in bad shape. The  
5 country is in bad shape. We need to get our affairs together at home. Until that  
6 happens, the country is going down the tubes. We can do better. We have to do better.  
7 Our children and their children depend on it.

8           I have a contract from the Route 340 project; the eastern side. Over \$300,000  
9 that these people up here spent -- over \$300,000 and I spent over 60 hours appointed  
10 to a committee and they threw it in the trashcan. That's unacceptable.

11           Yet the County can spend a quarter of a million dollars on 3/10ths of a mile  
12 with no permits, on height road, no bonding, using our County employees or the  
13 Highway Department, and double-dipping.

14           340 in Virginia was finished almost 40 years ago and the other structure or the  
15 bypass was finished somewhere around 18 years ago. The only reason this is getting  
16 looked at is because 340 East on Harpers Ferry is being ignored. That's where the  
17 traffic is. They've already said that they can monitor how much traffic. I can get to  
18 Berryville almost any time of the day with hardly any delay. You try to go to Frederick or  
19 try to come back home at any time, any day or night, and you're in trouble.

20           I have given written structures of how to fix the roads and they're ignored. I've  
21 been in constant contact with the Highway Department. I have a contract that says  
22 \$300,000 to be donated to the Highway Department at an undisclosed number,  
23 undisclosed account, from the Federal Government. If I and other people hadn't been  
24 involved we would already have another stoplight at Shipley School. They stole Kuhn's

1 Road. That road is what my grandfather built. I offered to pay double for that road than  
2 what was given for it. It was stolen from us.

3 I've been made fun of, I've been laughed at, and I can handle it. But we  
4 cannot trust the Highway Department or our elected officials. It's time we, the people,  
5 take over this county and this state and this government. We don't have much time left.  
6 I really appreciate your time.

7 And one other thing: I think the County Commission -- we need a new light  
8 (indicating). That's a lot bigger, and for \$2000 I think we can afford that one. You all  
9 have a good day.

10 MODERATOR: Thank you, sir, for your comments. Next to speak is Jay  
11 Cepelka.

12 MR. CEPELKA: My name is Jay Cepelka. I live at 131 Meyerstown Road,  
13 Rippon, West Virginia.

14 In 1992, before I built my house, what was considered I guess 4, Route 4 at  
15 that time, had been taken off the table. I started the project in April of 2003, finished it in  
16 November of that year, and we had a meeting here shortly thereafter in which Route 4  
17 was back on the table as the prime route of travel for the new road.

18 I know it doesn't satisfy anybody where the road goes and it never will. My  
19 biggest concern is the uncertainty of what our lives are as to what we can do with our  
20 property and where we may have to move to or what we may have to do with it.

21 So with that said, I would certainly like to see the project be moved on as  
22 quickly as possible, and I thank you for your time.

23 MODERATOR: Thank you, sir. The last person that is signed up to speak  
24 is Daniel Lutz.



1           MR. LUTZ:           Good evening and thank you for your time, and thank you  
2 for your attention. My name is Daniel Lutz. I live at 175 Wheatland Road, Charles  
3 Town, West Virginia.

4           I'm appalled at some of the issues that I've raised about all of the Alternatives,  
5 including the ones that have been taken off the table, that haven't received any study or  
6 the staff doesn't have any knowledge with which to address.

7           I've listened to some of the people who have spoken this evening about  
8 eminent domain and various terms, and I recall a term in common law called usufruct,  
9 that's u-s-u-f-r-u-c-t. The first time I ever found it referenced in American history was  
10 following the claims for compensation following Sherman's march to the sea. Now until  
11 this evening I really had not thought about the parallels between this highway and  
12 Sherman's march to the sea until I listened to the Allen family speak, and it suddenly  
13 became a whole lot clearer.

14           Usufruct, briefly, says that the sovereign, the government if you will, the king,  
15 or whoever, or the dictator, owns all property and that you only have it at the will and  
16 pleasure of the sovereign. The sovereign may take it from you, extract anything from  
17 you for its use, and you have no power. This is what eminent domain was enacted  
18 upon in 1862 and it even went so far in Connecticut as to allow a Wal-Mart to be  
19 constructed on land that people had to give up their homes for.

20           Now, several things bother me about this. When choosing a road, as several  
21 people have said, safety should be the number one concern. Commissioner Widmyer is  
22 absolutely right. I know she's surprised to hear me say that. At-grade intersections are  
23 extremely dangerous with the kind of traffic we have, and as I listen to the Allens speak,  
24 I joked with the staff saying that they should name these curves out there that they're

1 proposing for the Alternates across the Allen place as Lawyers' Curves because these  
2 boys are going to make a lot of money. And I told Jay that he should buy another  
3 rollback and station it out there because he'll be able to retire a second time.

4 Unless staff plans to bank these curves like the Talladega Speedway or  
5 perhaps Dover or Bristol -- Lord, I wouldn't want to drive those tracks under any  
6 circumstances, but the point is there's no roads in America that are built to Autobahn  
7 standards. Has anybody ever driven the Autobahns? 120 miles an hour, safely.  
8 Nobody would do it. No German with any sense unless they had a lot of beer in them  
9 would do that on these roads.

10 I would like to respectfully suggest that Alternative 8 be taken back off the  
11 elimination list and reconsidered so that the road can cross the Northfolk Southern  
12 Railroad and the south fork of the Bullskin Run on the west side with a safe interchange  
13 for Wheatland Road, a safe interchange for Withers Larue Road, a safe interchange for  
14 Lewisville Road.

15 And then please negotiate with Virginia and find out how we can get a safe  
16 interconnection at the state line. I've heard, "Oh, we can't do anything because Virginia  
17 won't talk to us." Sooner or later somebody has got to talk. There has to be a way.

18 Also, the other Alternatives that go down the existing highway -- right below  
19 Dave Slusher's car lot is a spring that rises underneath the existing road that no one  
20 knew about according to the staff. This spring supplies a large amount of water for the  
21 south fork of the Bullskin Run between 340 and the river. It's already polluted horribly  
22 with the heavy metal rock salt runoff from the truck stop and from the highway itself.  
23 Now let's go disturb that harsh topography and probably eliminate that spring altogether.

24 I thank you kindly for your time.

1           MODERATOR:    Thank you, sir. I'm going to turn it back over to Greg  
2 Bailey, but I do want to reiterate how important it is that we hear from you, either  
3 verbally here or in written comments outside. Any questions that may have been  
4 sparked by this evening's hearing; we're certainly available out here afterward. It's real  
5 important to us, it may surprise some of you, but it is important to us and we're happy  
6 that you all came and we were happy to listen.

7           With that I'll turn it over to Greg Bailey.

8           MR. BAILEY:       The first thing I need to ask is is there anyone else at this  
9 time that wishes to comment publicly? Okay.

10          MR. MORGAN:    My name is Rusty Morgan. I live at Rippon Lodge Farm.  
11 It's the farm that is being bypassed by -- I guess it's 10A and 10B, and we're grateful for  
12 that. We're grateful that the road is not presently designed to go through our property.  
13 It's very precious to us.

14          I really -- what I want to do is keep my comments really short. I want to  
15 support my neighbors. I think the two routes to the west of us, across the railroad  
16 tracks, are completely impractical. They would harm my farm. They wouldn't take  
17 farmland from me, but as far as noise and the view, it would be a miserable thing. But  
18 I'm not going to stand here and argue about those things, but I do think what it does to  
19 the Allens next-door to me, and that was once part of Rippon Lodge Farm, to destroy  
20 what they have left is just wrong.

21          To go to more expensive routes and to create a road that has those curves in  
22 it I think, again, like Lyn Widmyer said, the intersections of the local roads become very  
23 dangerous when they're associated with railroad tracks. So I just think that those two  
24 routes really ought to be eliminated. Thank you very much.

1 MR. BAILEY: Thank you.

2 MR. BRUST: My name is Michael Brust and I live at 201 Ryans Glen  
3 Drive; the subject of some discussion this evening. I'm not up here to do anything other  
4 than let the folks that have lived here all their lives -- me, I've lived in West Virginia since  
5 2001 -- I moved from Ranson. We needed a bigger home for my family. I was  
6 absolutely assured from the beginning of the process from the date that I closed until  
7 last September that nothing was ever going to be done to disturb the property which I  
8 purchased.

9 I'll be the first one to admit that I overpaid for my home and I have felt the  
10 effects of the economy and the problems just as much as anyone else. I want to assure  
11 everyone that's been here living here all their lives it was never our intention to come in  
12 and cause a problem. We never even knew this was going to happen. My preference  
13 would be that no one would lose their home. Unfortunately, I think we all know that at  
14 some point, maybe even 50 years down the road at the pace that I've heard about this  
15 evening, someone will lose their home.

16 I have another subject I'd like to discuss. Regardless of who loses their home,  
17 if the State of West Virginia, in their infinite wisdom that will not pay off any unpaid  
18 balance of a home that they take that they deem at their own personal fair market value  
19 -- that's the big concern for a lot of us that live in Ryans Glen. I know for me personally,  
20 and my family who lives with me, if you buy-out my home for the purchase price I'll be  
21 glad to go. I'm not looking to make a penny. I'll even take a little bit of a loss, but I can't  
22 afford to do anything else.

23 So I have to try something and this is the whole reason that we objected to  
24 Alternatives 4, 4A, 4B and 4C now. Really, you know, at this point I'm exhausted and

1 you guys have dealt with this for far longer than I have. Our community is a little bit at  
2 odds with what's going on so it's not just us within our own community, but we just don't  
3 want to seem like the bad guys. I hope everyone here understands that. Obviously the  
4 best solution is one where nobody loses anything.

5           There's a lot more that I could say, but there's just not enough time. I wish us  
6 all the very best. Thank you.

7           MR. BAILEY:       Sir, could you restate your name? I don't think we got that.  
8 I'm sorry.

9           MR. BRUST:        Unfortunately, I've been one of the ones that's been in the  
10 paper. It's Michael Brust, B-r-u-s-t, 201 Ryans Glen Drive. Thank you.

11          MR. BAILEY:        Thank you.

12          MR. LOGAN:        Good evening. My name is Jeff Logan. I, too, am a  
13 resident of the Ryans Glen community; 344 Ryans Glen Drive.

14                I just really want to focus on two main points here. One is disclosure and two  
15 is addressing some of the Alternatives. For the Department of Highways, in regards to  
16 the disclosure issue I really would like for you guys to disclose how you go about the  
17 comment process. How do you read these, what's the methodology used to process  
18 the comments? Is there some sort of exact science behind it or do you just collect it  
19 and it goes to the wayside? I think that needs to be disclosed; the methodology you use  
20 to track those comments and citizen opinions.

21                Second, I'd like to have the Department of Highways -- officially ask them to  
22 disclose the detailed maps of these plans. They're out there. These other drawings are  
23 really pretty, but they don't show anything. I know you guys have detailed maps of

1 which homes would actually be affected and would just like you guys in the next week  
2 or two to officially release those to the public beyond the County Commission.

3 And regarding the Alternatives; I feel for the Allen family. I think that's an  
4 unfair solution and the community of Ryans Glen doesn't advocate moving the route to  
5 save us while impacting others. That's not what we stand for.

6 But to the point of doing something that's sensible; straight, narrow,  
7 inexpensive, I agree with that. There are Alternatives 1, 3 and 5 that have been  
8 removed previously for decisions that were decided upon before the landscape changed  
9 with Ryans Glen and other houses. I ask the Department of Highways to open up those  
10 Alternatives again since they are direct routes and probably inexpensive routes.

11 Thank you.

12 MR. BAILEY: Thank you. Is there anyone else who wishes to speak? If  
13 not, let the record show that no further public comments are to be offered. We want to  
14 thank you for attending the hearing tonight. The hearing portion of this meeting is now  
15 adjourned and you all are free if you wish to go back outside here and speak with our  
16 staff and give any written comments.

17 Again, on behalf of Secretary Mattox, we really appreciate your time and  
18 efforts. Thank you.

19 (Public hearing concluded.)

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REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,  
COUNTY OF JEFFERSON, to wit:

I, Sherry M. Lawson, Certified Court Reporter and Notary Public in and for the State of West Virginia, duly commissioned and qualified, do hereby certify that the foregoing proceedings were taken and transcribed by me at the time and place and for the purpose specified in the caption hereof.

I do further certify that the said proceedings were correctly taken by me via voice writing and that the same was accurately reduced in full to computer transcription to the best of my skill and ability.

I do further certify that I am neither attorney or counsel for, nor related to or employed by any parties to the action in which these proceedings were taken; and furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.

Given under my hand this the 25th day of June, 2013.  
My commission expires November 9, 2021.

---

Certified Court Reporter/Notary Public



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Bill Allen

Mailing Address (including Zip Code): P.O. Box 143  
Rippon, W. Va. 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I FEEL The by pass should have  
stayed on the original route we  
already approved. I think the planning  
commission should have never issued  
building permits for Ryans when seeing as  
they already knew that was the original  
plan for the by pass

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"





# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Laura J. Allen

Mailing Address (including Zip Code): P.O. Box 115  
Rippon, WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I don't believe Alternative 10A nor 10B should be considered. The cost for either of these is much more ~~that~~ expensive than any of the other routes. I think the original route (Alternative 4) should be the one used. The curve would be way too much on Alternative 10A or Alternative 10B. Also, to have to move Norfolk-Southern Railroad tracks would be way too much expensive.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project" 10



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Lewis Allen

Mailing Address (including Zip Code): P.O. Box 115, Rippon, WV. 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

How can you even ~~consider~~ consider Alts. 10A & B?

Dangerous curves and additional cost seem

to obviously eliminate these two.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Greg Bonar phone company  
Mailing Address (including Zip Code): 1108 N. Mildred St. Ranson, W.V.  
304-725-4199 25438

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

This move on 4C would save the  
Resturant and also save money and help  
the community keep a landmark. We all love  
John's Diner for every meal. This also moves  
you away from our switch 4A is very close  
to red dot. I would recomend  
that you would follow alt. 4A after Lewisville  
Rd.

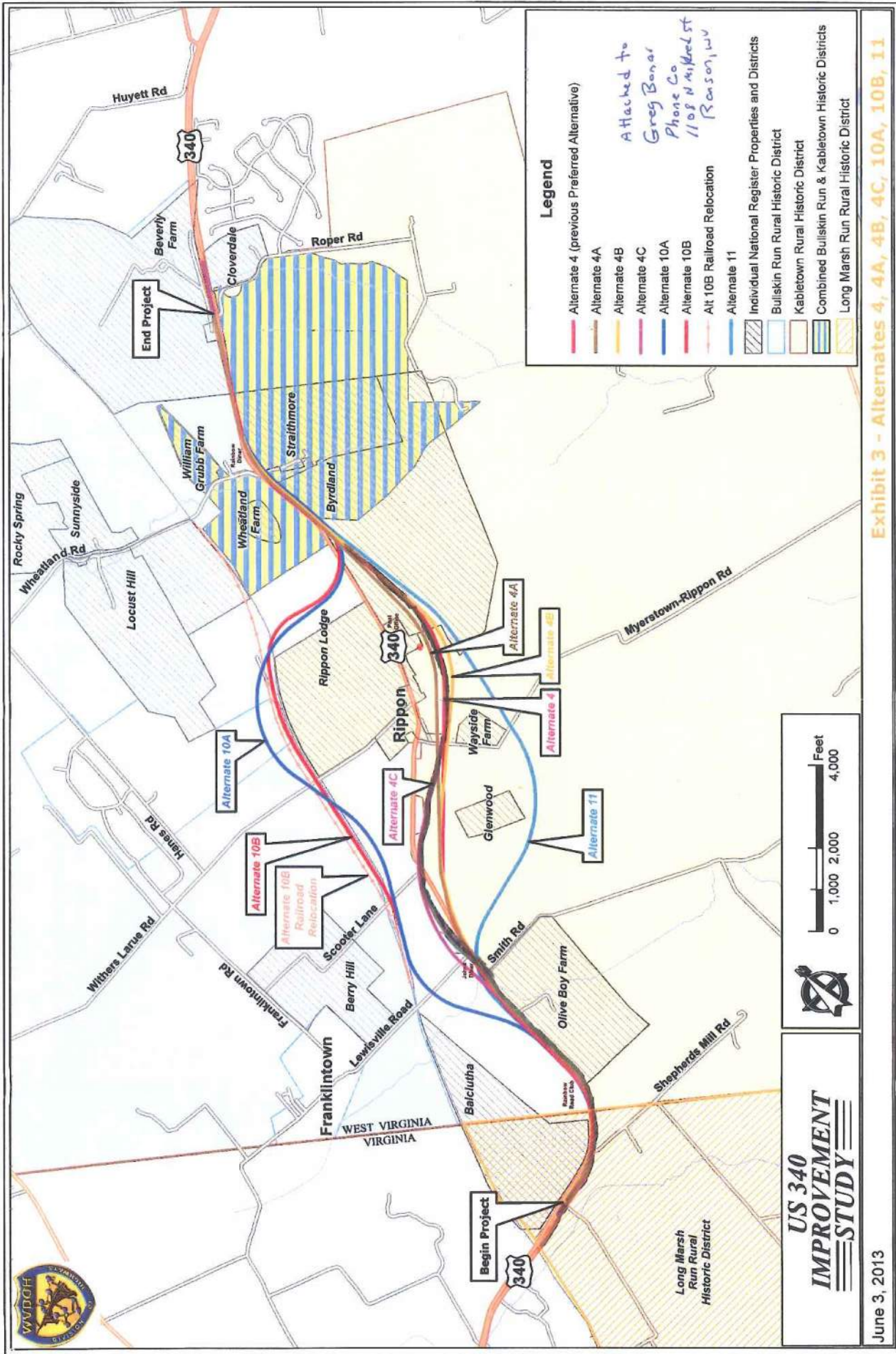


Exhibit 3 - Alternates 4, 4A, 4B, 4C, 10A, 10B, 11

June 3, 2013



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Michael J Clark  
Mailing Address (including Zip Code): Po Box 111, Rippon WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Alternate choice should be where there is least  
land disturbance, least wetlands disturbance, least  
environmental effect, to minimize construction hazards  
Also the cost to the taxpayer in these slow economic  
times must be considered  
Having noted these evaluations, it seems that WVDOH  
actually proposed the correct Alternate in 2002  
Why waste time and money when the right  
decision was made to extend the existing 4 lane  
Bypass <sup>ground</sup> Rippon in Jefferson County. I think  
Alternate Route 4 should be used.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]:**

Name: <sup>Daughter</sup> Dianna Dick For Edith Ellifritz

Mailing Address (including Zip Code): P.O. Box 147 Rippon WV 25441  
101 Earl Ellifritz Dr.

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

After looking over all the new proposed routes we think alternate 4B looks the best and makes the most sense

Why make the highway make such big loops and cross RR's causing more expense

Just please make this happen and not take another 20 years.

This is a very unsafe ~~area~~ stretch of highway, with too much ~~too~~ traffic for just two lanes.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

Contact Information [Please Print]

Name: Helen Lafferty  
Mailing Address (including Zip Code): 350 Quail Run Rd  
Summit Point WV 25446

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

We have property that is directly affected by  
alternate plan TOA & 10b and we were not notified  
directly of the public hearing & workshop. Please put  
us on the mailing list for direct mailing.



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Deanne Morton

Mailing Address (including Zip Code): 2446 Berryville Pike  
P.O. Box 58, Ripppm. WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

A copy of all engineering plans should be  
available to the public at our local county offices

Information  
re: The access roads connecting the existing & the  
new highway should be made available.

Is spending \$10 million a mile (in today's \$)  
a wise expenditure?

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"





# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Kina + Stanley White

Mailing Address (including Zip Code): 95 Rippon Commonct  
Charles Town, WV 25714

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

~~Open~~ - bought property that will be effected  
by this road change and I have not receive  
any information from the state since my neighbor  
called six months ago. Can someone make sure  
we are added to the list of property owners

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Carolyn Zuke

Mailing Address (including Zip Code): Box 219 Rippon, WV 25441  
John's Family Restaurant

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

340 is a very dangerous road, we need  
a four lane before more lives are lost.  
My life style has been changed because of  
the gun range in my back yard. I  
want to move so you can have the  
restaurant at my house I am not OK with  
alt 10A & 10B thrilled with all others,

Thank you  
Sue



## Wayside Farm

P.O. Box 40  
Rippon, WV 25441

RECEIVED

JUN 10 2013

ENGINEERING DIVISION  
June 5, 2013  
WV DOR

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

Dear Mr. Bailey;

My comments deal with State Project U-219-340-0.00(02).

I am the owner of Wayside Farm, an historic property located on the Myerstown-Rippon Road. I commented previously (October, 2, 2012) on the alternate routes for the "improvement" of US340 as presented at your Informational Public Workshop on September 24, 2012.

At the workshop on June 3, 2013, 4 new or modified alternates were presented. Three of these, Alternates 10A, 10B, and 11 have many similarities to alternatives that were eliminated following the July 2002 workshop. They suffer from many of the same deficiencies as the earlier alternatives. 10A or 10B would entail excessive costs of up to twenty-nine million dollars more than other alternatives. This would be a tragic waste of taxpayer dollars and probably would not withstand informed public scrutiny. The entire Ryan's Glen development could be moved and rebuilt for less than that.

Alternate 11 would cause the wastage of agricultural acreage in excess of the land needed for right-of-way. Specifically, crossing the Adam's farm adjacent to the Myerstown Road would sever the farm from an important source of water for their beef cattle. They would lose access to the spring-fed pond situated at the bend in Myerstown Road and several acres of crop and pasture. That pasture is subject to periodic flooding and would require added costs for flood control. It would seriously intrude into the Kabletown Rural Historic District and despoil the view from the Rippon area over the as yet unspoiled farmland.

My preference remains with the Alternate 4A which if combined with the southern portion of Alternate 4C would avoid Ryan's Glen.

Yours Truly,

James Keel, DVM



# US 340 IMPROVEMENT STUDY

**Public Workshop and Hearing  
Monday, June 3, 2013**

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JUN 13 2013

ENGINEERING DIVISION  
WV DOH

**COMMENT SHEET – Please return on or before Wednesday, July 3, 2013**

**Contact Information [Please Print]**

Name: Michael Nemeec

Mailing Address (including Zip Code): 5203 Kabletown Road  
Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

The ideal solution would be to add another two lanes parallel to the existing two lane road, as Virginia has done on many of its roads.

The closest to the ideal are alternates 4, 4A, 4B, 4C. The 4's are the lowest in estimated costs except for Alternate 11. The problem with Alternate 11 is that it impacts the valuable resource in Jefferson County, its farmland.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

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JUN 14 2013  
ENGINEERING DIVISION  
WV DOH

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Richard & Linda Shirley

Mailing Address (including Zip Code): 4529-middle way pike  
Kearneysville WV 25430

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

To who it may concern  
Its nice to have people move into our  
area, But its a shame for those people  
that brought the homes which most of  
them knew that 340 dual highway was  
coming through there property, so they think  
it should be rerouted to the peoples  
area and homes that have lived here all  
there lives and there family before them it  
a shame for them to even think about as far as I am  
concerned they dont give a D" about anybody but there SELF!  
I dont want to think about how hard it would be to give your home, But  
they knew about it, as far as I am concerned, the way they routed it the  
first time it should stand that way I am a life time resident which my father  
was and his father was. I do feel sorry for them But please let it go  
through the way it was supposed to go through  
Sincerely  
Richard Shirley & Linda M. Shirley

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

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JUN 17 2013

ENGINEERING DIVISION  
WV DOH

As a resident of CITY, STATE, I stand with the community of Rippon, WV and share their concerns about the US 340 Expansion Project located south of Charles Town, WV.

I have great concern, as a Federal taxpayer and as an informed citizen, about the situation surrounding the US 340 Expansion project near Charles Town, WV. I have learned through a variety of sources that the WV Department of Highways (WVDOH) plans to use State and Federal tax dollars to expand route US 340 near the WV/VA border. While I agree that expansion of this road will ultimately be good for the tri-state area, I was extremely bothered to learn that State and Federal tax dollars may be used to purchase and destroy many businesses and/or newly built homes along the planned route; this is clearly evident with proposed alternatives 4, 4A,4B, and 4C. After careful review of the provided documents and proposed alternatives, I encourage the WVDOH to eliminate alternatives 4, 4A,4B, and 4C from the proposed plan and primarily consider alternative 11 moving forward.

WV State Project #: U319-340-0.00 02  
Federal Project #: NH-0340(030)

\*This submission is part of a campaign to inform the public about issues surrounding the 340 expansion project. I have given my consent to have this comment submitted on my behalf\*

LAST NAME, FIRST

CITY, STATE

SIGNATURE

Katz, Sarah

Allentown, PA

Sarah E Katz

Kankowski, Edward

Allentown, PA

Edward F Kankowski

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certified mail # 2012 2210 0002 0740 9463

**Joseph V. Cepelka**

PO Box 14  
131 Myerstown Road  
Rippon, WV 25441

June 28, 2013

West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

RE: US 340 Four-Lane Improvement Study: Virginia line to Charles Town Bypass

To Whom It May Concern:

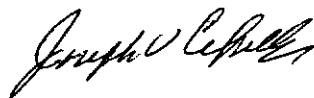
I am writing this letter to request that the Alternate 11 Centerline Route for the US 340 Four Lane Improvement be considered as the final route. To me and my family, this would be the best route to consider because it will not displace and place burden on as many residential families as any of the Alternate 4 routes would. I am aware that this route would take some rural farmland but so does every other option that has been given. Also, every one of the alternate 4 routes looks to run directly over sinkhole #1 which is marked on the map dated February 11, 2013.

If any of the Alternate 4 routes were to be chosen, I would hope that they could be aligned so as not to take my families home and buildings. Our property is all that is left of our families' original farm dating back over 200 years. We built our dream home on this property for that reason and were also advised that we would never have to worry about 340 being directed through it.

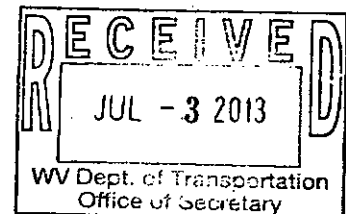
Which ever route is chosen, I wish the decision would be made soon so that residents like my self aren't burdened and stressed with what the outcome of their property will be. Every one of us landowners are in limbo and unable to do anything with our properties until this decision is made.

If you have any questions or would like further explanation, please feel free to contact me. I can be reached on my cell phone at 304-270-8252 or e-mail at [jcepelka@frontiernet.net](mailto:jcepelka@frontiernet.net). Thank you for the opportunity to offer my suggestion.

Sincerely,



Joseph V. Cepelka  
Resident and Land Owner



July 5, 2013

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JUL 17 2013  
ENGINEERING DIVISION  
WV DOH

Dear Mr. Bailey and Colleagues

I am writing in regards to WV state project U319-340-0.00 02 and Federal Project U319-340-0.00 02, the expansion of route 340.

My husband and I purchased our home in Ryan's Glen less than two years ago and our lives were almost immediately thrown into limbo with the announcement of the 340 expansion and its potential to run directly through our property or neighborhood.

We are a young couple, newly married. We were looking forward to having children but are no longer financially secure enough given the current situation to do so. Our family is on hold.

I am also a veterinarian and had been looking forward to opening my own practice and boarding kennel to serve our community and provide jobs for our neighbors. I cannot pursue this dream until I have a reliable financial investment in my home and property. My career is on hold.

Furthermore, I am not even able to sell my home and move to start my family and my business as my home is worthless until a decision is made. My family and my career are indefinitely on hold.

I realize that a road is going to be built and that in many ways that will enhance our area in the future. However, I ask that you please be mindful of the lives you are affecting at the present time. Given the significant negative impact of alternative 4 (4, 4A, 4B, 4C) to both homeowners and business as outlined in the impact studies, I urge you



to eliminate these options as we move forward. These routes unnecessarily destroy homes, properties and lives that could otherwise be avoided. Our community at Ryan's Glen stands firmly behind alternative 11 or a variant of this route in order to minimize damage to Rippon's residences and businesses.

Thank you for your time and consideration.

Sincerely,

  
Adrienne Doering Curtis and Mark Curtis



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

Contact Information [Please Print]

Name: Richard & Margaret Kiands

Mailing Address (including Zip Code): P.O. Box 32  
Rippon WVA 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Alternatell go in Behind the new house  
across Road We Been here 35 yrs so why  
should we have to move if not right to us

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JUL 08 2013

ENGINEERING DIVISION  
WVDOH



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Charles W. Albright

Mailing Address (including Zip Code): P.O. Box 42

Rippon WVA 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Alternate 11 go in behind the new  
house across the road we been here 34 yrs  
so why should we have to move it not right for us

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Lucy M. ATHEY

Mailing Address (including Zip Code): 1788 Fairway Drive  
Fernandina Beach, FL 32034

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

My name is Lucy M. Athey and I own the 9 lots in the Oak Hill Subdivision at Rippon, WV. I have reviewed the various options and feel that option 11 is the best choice for the least impact. My ability to continue to carry the property is very limited. It has always been my intention to sell these lots once the real estate market stabilized. This has happened but I am unable to move because of the cloud of the road. Please eliminate option 4, 4A, 4B, + 4C on the basis that the projected impact of these routes is too severe to continue to consider. I feel my damages are occurring regardless of the final route on a daily basis until such time as 4, 4A, 4B, 4C are eliminated.

Thank you for your consideration.  
Lucy M. Athey

June 24, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

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JUL 01 2013

ENGINEERING DIVISION  
WV DOH

Dear Mr. Bailey,

Subject: State Project U-219-340-0.00(02)

I was impressed by the fact that after hearing the testimony on the above State Project on June 3, 2013 that you or one of the other top officials approached me with a question about the separation of my cattle from their water supply, which is a wet weather pond. I have seen as much as 2-3 acres adjacent to the pond flooded from torrential downpours.

On another note, the loss of productive agriculture land over a ten year period would result in the loss of income of a considerable amount. This land cannot be replaced, if it could be, the cost would be astronomical. Houses can be moved or replaced, people can relocate but the loss of income producing land is gone forever.

On the personal side, I am 85 years of age, a Korean War vet, and I have resided on the farm for 82 years. My son and I farm 300 acres, which is the major source of income for our two families.

Alternate 11 would cause loss of agriculture land in excess of land needed for the project. I urge you to consider alternate 4A and the southern segment of alternate 4C as the solution to the completion of the project.

Yours Truly,

*Franklin W. Adams*

Franklin W. Adams  
PO Box 99  
380 Myerstown Rd  
Rippon WV 25441-0099

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JUL 01 2013  
WVDOH  
STATE HIGHWAY ENGINEER



# Jefferson County, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

Charles Town, WV 25414

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JUL 05 2013

ENGINEERING DIVISION  
WV DOH

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.html)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Fax: (304) 728-8126

July 2, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

Mr. Bailey,

Enclosed is a letter addressed to the Jefferson County Planning Department in support of State Project: U319-340-0.00 02/Federal Project: NH-0340(030) US 340 Improvement Study. We are forwarding the letter to you per the request of the Jefferson County Development Authority.

Thank you for the opportunity to submit comments on the proposed US 340 South widening project.

Sincerely,

Alexandra Beaulieu, Planning Clerk  
Jefferson County Departments of Planning and Zoning



Jefferson County  
Development Authority

Board of Directors  
2012-21013

Mark Dyck  
President

Howard Mills  
Vice President

Eric J. Lewis  
Secretary/Treasurer

Mike Chapman  
Joe Cosentini  
Helen Dettmer  
Annette Gavin  
Conrad C. Hammann  
Joshua Householder  
Debra Lee Hovatter  
Eric J. Lewis  
P. David Mills  
Walter Pollich  
James A. Tolbert  
Karan Townsend

John Reisenweber  
Executive Director

PO BOX 237  
CHARLES TOWN  
WV 25414

304.728.3255  
304.725.3133 fax

www.JCDA.net

RECEIVED

APR 05 2013

JEFFERSON COUNTY  
PLANNING, ZONING AND ENGINEERING

April 2, 2013

Ms. Jennifer Brockman  
Jefferson County Planning and Zoning Department  
PO Box 250  
Charles Town, WV 25414

Dear Ms. Brockman,

On behalf of the Jefferson County Development Authority (JCDA), I am writing to express our strong support for the planned expansion of Rt. 340 South from two lanes to four lanes from Charles Town to the Virginia line. We believe that this road project is a priority for Jefferson County and respectfully request that the expansion be included as an integral part of the Envision Jefferson 2035 Comprehensive Plan update. This road project is not only extremely important for the economy here in Jefferson County but also for the safety and quality of life for our citizens and those visiting the county.

As you know, the Rt. 340 expansion has been included in the WV Department of Highways (WVDOH) 6-year transportation plan which illustrates that it is a priority for the State of West Virginia and their limited road construction funding. In addition, this project has been unfortunately stalled due to housing subdivisions that were approved in the preferred road expansion alignment which has resulted in additional costs and delays as WVDOH now must engineer an alternative alignment. Because of this situation, it is imperative that this project be given the highest priority as you update the Jefferson County Comprehensive plan to ensure that it gets back on track without any further delays.

Finally, the JCDA also requests that the Envision Jefferson 2035 update also include provisions for utility easements along the preferred route as well as any additional amenities such as a bike path similar to the recently completed path along the new Route 9. It will be much easier and less costly to provide the necessary infrastructure along the road if utility easements are considered as part your planning process and factored into the easement acquisition phase of the project.

In closing, I want to thank you and your staff for all of your hard work on the Envision Jefferson 2035 Comprehensive Plan update. If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,

John Reisenweber  
Executive Director

2013



# Jefferson County, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

Charles Town, WV 25414

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JUL 05 2013

ENGINEERING DIVISION  
WV DOH

[www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.htm](http://www.jeffersoncountywv.org/government/departments/planning-and-zoning-department.htm)

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

[zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Phone: (304) 728-3228

Fax: (304) 728-8126

July 2, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, WV 25305-0430

Mr. Bailey,

Enclosed is a paper copy of the letter submitted through your online comments page on behalf of the Jefferson County Planning Commission on July 2, 2013.

Thank you for the opportunity to submit comments on the proposed State Project: U319-340-0.00 02/Federal Project: NH-0340(030) US 340 Improvement Study.

Sincerely,

Alexandra Beaulieu, Planning Clerk  
Jefferson County Departments of Planning and Zoning

*Mc*





Comment

[Transportation](#) > [Highways](#) > [Engineering](#) > [Comment on Projects](#) > [US 340 Project](#) > Thank You for Your Comments

**Thank You for Your Comments**

Thank you for your comments. They are important to us and will be made part of the project record.

[WV DOT Privacy Notices](#) | [Contact Us](#) | [Site Map](#) | [Disclaimer](#)  
E.E.O./AFFIRMATIVE ACTION EMPLOYER



3  
2013



## JEFFERSON COUNTY, West Virginia

Departments of Planning and Zoning

116 East Washington Street, 2<sup>nd</sup> Floor

Charles Town, WV 25414

Email: [planningdepartment@jeffersoncountywv.org](mailto:planningdepartment@jeffersoncountywv.org)

Phone: (304) 728-3228

Email: [zoning@jeffersoncountywv.org](mailto:zoning@jeffersoncountywv.org)

Fax: (304) 728-8126

June 13, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

RE: State Project: U319-340-0.00 02/Federal Project: NH-0340(030)  
US 340 Improvement Study

Dear Mr. Bailey:

At the June 11, 2013 Planning Commission meeting, the Jefferson County Planning Commission discussed the new alternative alignments for the proposed widening of US 340 South to the Virginia line and would like the following comments entered into the record for the Public Hearing held June 3, 2013.

The Jefferson County Commission has stated that widening this section of US 340 to four lanes is a high priority for business development within the County. The Planning Commission requests that the decisions related to the final Preferred Alignment and Record of Decision be made expeditiously to allow future development decisions and current property owners within the Preferred Alignment to have some certainty as to the future. Further, it is critical that the design of this four-lane section of road occur in a manner that ensures that it is a free-flowing limited access highway with limited potential for future traffic signals. To this end, the Planning Commission would like the following thoughts considered as the design is undertaken:

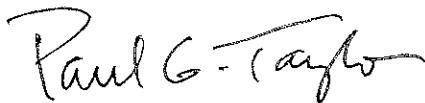
- Please note that if a four-lane road is located in this area, it is likely that the adjoining land uses will change to a more intense use (such as commercial or industrial uses) and the DOH should take more intense land uses into consideration when designing the road;
- In order to provide for a free-flowing corridor that allows traffic to move quickly, the design needs to take into consideration access management principles and be designed in a way to minimize the need for future traffic signals;
- Where possible, provide for a parallel frontage road to serve the existing driveways that front on the road currently, to minimize the number of direct accesses to a four-lane road;

1062 4

- Design and construct a separated bike path along this route to continue the path currently along Route 9 for the use of Jefferson County citizens and the many tourists that visit the County via bicycle (recommend a minimum of 12 feet from the edge of pavement and a paved bike path is a minimum of 10 feet);
- Provide landscaping along the corridor in a way that complements the history and culture of this area of the County; and
- Design the road in a manner that is sensitive to the significant historic features that are found in this area of the County.

On behalf of the nine members of the Jefferson County Planning Commission, these comments are being submitted as part of the Public Comment being solicited by the West Virginia Division of Highways.

Sincerely,



Paul G. Taylor, President  
Jefferson County Planning Commission

CC: Jefferson County Commission

4  
282

Ripon Lodge Farm  
2547 Berryville Pike, PO Box 130  
Rippon, WV 25441

RECEIVED  
JUN 27 2013  
ENGINEERING DIVISION  
WV DOH

June 24, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430

Re: US 340 IMPROVEMENTS  
Federal Project NH-0340(030)E  
US 340-4 Lane Project  
State Project U219-340-0.00(0.02)  
Jefferson County  
Virginia State line to Charles Town Bypass

Dear Mr. Bailey:

My wife and I live at Ripon Lodge Farm on the West side of the existing Route #340. All 200 acres of our farm is on the National Register of Historic Places. Our son owns forty acres attached to us on the south side, across Withers-Larue Road. We have a large investment in preserving the historic buildings on the farm, and the fourth generation is now pitching in to help maintain the property. We have been granted a Conditional Use Permit from Jefferson County to build a farm brewery and a pub to serve the public with our beer and other products produced on the farm. We have been growing special barley crops and hops for about six years, and have a malting facility completed, which is capable of making 500# batches every day or so. We are well on our way to making the farm completely self-sustaining by controlling what we grow and how we market the produce.

The purpose of all this work is to preserve Ripon Lodge Farm as an example of rural life and farming in the history of our County. We believe what we are doing is good for our family, but it will also be an asset for the community.

We are obviously concerned about the effect of the proposed new highway around Rippon. The threat of harm to our home and enterprise has been going on for nearly forty years, now. My son says his whole life! For the last several years our local community has adjusted to what seemed to be a consensus following the last round of public hearings. Route # 4 made the most sense to build. The State would need to do some more environmental studies and we would have to wait for funding.

10825

Now we are considering additional routes because new residents are complaining about decisions that were made before they moved here. The truth is, the homes in Ryan's Glen should never have been built, and, now, the new owners are in a tough spot. No one wants them to be hurt, but the County needs the road to be built.

Once committed, sticking to "the plan" is usually a good policy. The suggestion of new routes to the west of the existing highway is totally impractical. The cost would be immense, and the path of the road would completely destroy my neighbor's family homes on land that once was part of Ripon Lodge Farm. They have lived here their whole lives. They deserve to be left alone.

This route would also destroy any atmosphere of rural living on our farm and would make our plans inoperable, due to the disruption and noise that would surround most of our property. The western routes would also go right through the center of my son's forty acres. The proposed bridges, raised over the landscape, would finish the devastation. We are crying out for good planning, and sensitivity to the beauty of our area.

We are also concerned about protecting historic properties on the eastern routes. Certainly, Alternative 11, the furthest east, would not be a good route. It destroys too much valuable farmland and affects historic homes unnecessarily. Let's keep the road as far away as possible from the Wayside farm. But, let's not chop up the Adams Brother's productive fields, either.

In conclusion, any of the number four alternatives would be acceptable, but number 4A looks like the best route to us. It was quite clear at the public meeting last week that there was very little support (if any) for the western routes.

Thank You for listening to all of us.

Respectfully yours,



Mr. and Mrs. A.M.S. Morgan III

(Rusty & Cricket Morgan)



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2062



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

RECEIVED

JUL 05 2013

ENGINEERING DIVISION  
WV DOH

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Richard & Valli Farmer

Mailing Address (including Zip Code): PO Box 72 40 Scooter Lane  
Rippon WV 25441

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

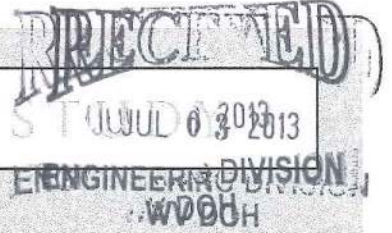
Your comments or questions for the project team:

I like ALTERNATE II  
I have lived here FOR 38 YEARS  
AND I dont WANT to lose my home.

6



US 340 IMPROVEMENT STUDY



Public Workshop and Hearing
Monday, June 3, 2013

COMMENT SHEET - Please return on or before Wednesday, July 3, 2013

Contact Information [Please Print]

Name: Ruth Parker

Mailing Address (including Zip Code): 60 Strathmore Farm Lane
Charles Town, WV 25414

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

Attached is my main comment, but option 4A is the one I prefer - the "A" options I feel are the most practical & 4A is the farthest from my house! I just purchased it & am in the process of fixing it up. It is a pre-civil war house and is part of the historical history of the county. I hate to see any part of history destroyed. Anything that could be done to preserve the house would be greatly appreciated! The house faces Strathmore Farm Lane, so the back of the house "faces" 340.

I understand the reasoning for the expansion & the decisions that must be made. Please consider preserving a bit of history.

Please keep us informed of the progress!

Thank you!

[Handwritten signature]

Project Information and Comment Sheets can be found online at our web page:

http://go.wv.gov/dotcomment

7

Re: Comment on 340 hwy repair.

To whom it may concern,

My name is Ruth Parker and I own and reside at 60 Straithmore Farm Lane, Charles Town, WV 25414. I want to say that the current 4 series proposals seem to be the best options. Option 10 looks to be way too expensive and complicated, let alone adding more time and money to an already lengthy endeavor. Besides, I cannot imagine dealing with the railroad – for two crossings!

I just purchased the property and knew that the road was going to be close depending on which option was chosen. Of course I would prefer not to have the house taken. The house is an old Federal style brick home built around 1830 (according to county records). It is a recognized structure in the Bullskin Run Historic district and depending on which source, it is referred to as the Straithmore Tenant house or the Straithmore Overseers house. A member of the local historical commission (John Allen, the architectural historian) came to the house and said that it has many of the original features, some not usually found in as good shape as in this place. It has an unusual false chimney and the interior has the original doors, banister and railing. The property is apparently eligible for National Historic Registry – something I hope to pursue in the near future.

My other concern in the wetlands behind the house. I was told that this can be dealt with, but I still have concerns. It is part of the Bullskin Run watershed. With the past history of pollutants in this creek, I would think that preservation of undisturbed portions of this watershed would be crucial to decreasing contamination and restoration of the watershed.

I went to the meeting June 3 at Page Jackson school. Very informative! I liked being able to talk to the planners and engineers. I felt that the information was good, although I really needed to see more detailed maps – which I did get to see when asked. Turns out the house is so close on several of the proposals, that at this moment it is still in the air as to whether the house gets taken or not. I was told that it may be possible to put up a berm, wall, or other form of separation from the highway - I am fine with that. If a slight adjustment can be made so that the house can remain, it would be greatly appreciated! I still will hate to see the stream area taken – old deed records say there is a community well there and I would like to find it if possible.

Thank you for your consideration and thanks again for the informative meeting.

Sincerely,

Ruth Parker



2 of 3



from option 4A

60 Straithmore Farm Lane



Ruth Parker  
60 Straithmore Farm  
Lane

3053



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Theresa E. Shirley

Mailing Address (including Zip Code): 4637 Middleway Pike  
Kearneysville W.Va. 25430

RECEIVED  
JUN 18 2013  
ENGINEERING DIVISION  
WV DOH

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team: To Whom it may Concern

In my opinion, the WVDOH and The Jefferson Co. Planning Commission is responsible for undue hardship and heartache to residents new and old, by not committing in writing to the Alternates Rts. of 4a,b,c; many years ago as believed by residents who fought this battle before. The Planning Commission allowed housing developments to be built knowing full well they were in the path of the chosen 4 lane highway route; also the developers were aware of this. Its a disgrace that people were mislead like this. If there is no money for the project, then scrap it! If the DOH would pay the homeowners in these developments enough to payoff the mortgage on their homes it still would not come close to the costs of choosing Alternate Rt 10a,b because of crossing of railways several times. Also Alternate 4 is straiter and follows the old Rt 340 closely. Alternate Rt 11 would destroy a farm which we have to few of now days. This whole area of the eastern panhandle is an historic site because of the Civil War. Streams, wetland and farms are important to all of us. Wildlife has no place to call their own as it is. It's a shame to waste taxpayer dollars for study after study on projects that has no funding anyway. I believe we would be better served to somehow build a direct 4 lane route bypassing Harpers Ferry into Md. onto Rt 340. This is a major backup for all commuters to Fredrick-Rockville-Baltimore. Please stick to Alternate Routes 4abc. Stop wasting money on projects that are not funded. Fed Up with waste and lies.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

I did attend the last meeting as a concerned taxpayer and voter even though I live on a different highway. It could be my home next.

8



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Staci Clark

Mailing Address (including Zip Code): 238 Ira Way  
Kearneysville, WV 25430

RECEIVED  
JUN 21 2013  
ENGINEERING DIVISION  
WV DOH

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

As a taxpayer, Alternates 10A & 10B  
make no sense whatsoever. This is not  
the part of 340 w/ the traffic congestion.  
I say abandon the whole project.  
There is no \$ to fund it anyway.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Louis B. ATHEY

Mailing Address (including Zip Code): 1788 FAIRWAY DRIVE  
FERNANDINA BEACH, FL 32034

RECEIVED  
 JUN 21 2013  
 ENGINEERING DIVISION  
 WVDOH

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I attended the Public Forum on "new 340" on Monday evening June 3, 2013. My belief is that OPTION 11 is the far superior option. The stated purpose of the meeting was to receive public comment on the project. Unfortunately, a good bit of the evening was devoted to attacking me, and others personally. I request that any future public meeting be monitored by the state and that such attacks be prohibited. It was especially frustrating since I had no inclination or opportunity for rebuttal. I don't think this was the proper forum for this type of dialogue. I fully understand the long process of getting to a final selection route, but I do encourage you to try to eliminate 4, 4A, 4B, and 4C at this time. Now that you are fully aware of the impact of any of these 4 routes, the projected properties to be acquired is disproportionately higher than other routes. I also believe the projected stake under

4, 4A, 4B, and 4C is likely underestimated. Submitted with respect for the job to be done, L.B. Athey

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Frank Roach

Mailing Address (including Zip Code): 142 Windy Hill Lane  
Kearneysville, WV 25430

RECEIVED  
JUN 21 2013  
ENGINEERING DIVISION  
WVDOH

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

As a taxpayer, I am outraged @ the new proposals for Rt 340 improvements. In particular, Alternate routes 10A & 10B are ridiculous. Not only are they both more expensive but look very dangerous as well.

I feel for the residents of the Ryan's Glen subdivision. This is something that never should have made it thru the planning commission of Jefferson County and now the Ryan's Glen residents are mostly likely going to pay for their incompetence.

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"



# US 340 IMPROVEMENT STUDY

## Public Workshop and Hearing Monday, June 3, 2013

COMMENT SHEET – Please return on or before Wednesday, July 3, 2013

**Contact Information [Please Print]**

Name: Elizabeth Allen Pierce

Mailing Address (including Zip Code): P.O. Box 153  
Rippon, WV 25441

RECEIVED  
JUN 21 2013  
ENGINEERING DIVISION  
WVDOH

Your opinions about this project are important to us. Please use the space below to include your comments or questions. If you need additional space, please take another sheet or you may include your own letter.

Your comments or questions for the project team:

I find it appalling that our planning commission approved a development right in the path of the proposed road and now that DOT is even considering changing the roadway. ~~because~~ I would think every tax payer in the county would be outraged @ the added expenses we fought the proposed routes from the earlier meeting and were given enough assurance from DOT that ~~Alter~~ <sup>Alter 4</sup> was the preferred route. Enough assurance in fact, that the previous owner of the property that is now the development causing the concern, <sup>(Rhans' plan)</sup> sold the property after installing expensive horse fencing & sheds because he was so sure the road was going thru there. I would imagine whoever bought the property from the farm owner got a very good deal. The property that will be divided by Alter 10A & 10B have been in my family for 100 years

Project Information and Comment Sheets can be found online at our web page:

<http://go.wv.gov/dotcomment>

Click on "Comment on Engineering Projects", then "Open", and then click on "US 340 Project"

12

Jane Allen Rutherford  
3578 Bakerton Rd  
Harpers Ferry, WV 25425

June 18, 2013

Mr. Gregory Bailey, PE  
Director, Engineering Division  
West Virginia Division of Highways  
State Capitol Complex, Building 5  
1900 Kanawha Boulevard East  
Charleston, West Virginia 25305-0430



Re: US 340 Improvement Study Meeting Held on June 3, 2013

Dear Mr. Bailey

I own 223 acres in the Kabletown District, adjacent to Ripon Lodge. My Grandmother, Florence Long Allen, owned Ripon Lodge in Rippon, WV until her death in 1968. At that time Mr. Bud Morgan purchased much of the acreage and home at Ripon Lodge. This was due to my Uncle, William Allen, not being able to pay the large amount of inheritance tax due and then forced to sell. Each of his children was able to retain +/- 10 acres of land which they built their homes on. My Father, Robert Allen, also inherited land that was also a part of Ripon Lodge, adjacent to Rusty Morgan's home, which has no buildings on it. These acres are known as 53.07 acres-North-Ripon Lodge, Allen; 120.15 acres Ripon Lodge-Allen; and 50 acres-South-Ripon Lodge-Allen. Copies of the tax receipts are enclosed. It is my understanding that Rusty Morgan, son of Mr. Bud Morgan, was able to have Ripon Lodge added to the National Register of Historic Places. It is also my understanding that my cousins who built their home on Allen Lane are not eligible to have their land added under Ripon Lodge to the National Register of Historic Places due to having within the past several years improved the land with their homes. They would not have built their homes there had they thought US 340 Improvement was going through their land. My land does not have a home or improvements on it so I would think it could be included under Ripon Lodge as historic. If that is the case then Alternate 10A and 10B should be eliminated. Indications from previous meetings were that Alternate 4 was the Preferred Alternative.

If some of the main determining factors as to which alternate should be chosen include safety and cost to the people of WV, Alternate 10A and 10B should be eliminated. The several sharp turns would endanger drivers and their passengers not to mention the additional cost involved over Alternate 4. I don't want to see anyone lose their home but the folks as Ryan's Glen should have been told that it was a good chance that improvements to Rt. 340 could be going through their development. Disclosure should have been made prior to them purchasing the land and they could make an informed decision. Michael Brust, of Ryan's Glen, attended the June 3 meeting and this information was not shared with him. He advised he didn't think the Allen Lane homes (Alternate 10A and 10B) should be chosen. He shared that he is extremely upside down in the loan for his home. I didn't ask him but it appear that he built his home at peak in Jefferson County and then the economy took a huge hit. It would be beneficial

13  
1045

6/18/13

to him and probably most of the homeowners in Ryan's Glen to buy them at out at what they owe on them if they are upside down. Lou Athey and Dan Ryan should be held accountable along with the Planning Commission for what they've done to the innocent people of Ryan's Glen. If Athey, Ryan and the Planning Commission are not held accountable and don't right the wrong they've committed financially to Ryan's Glen folks then looking at the money that would be saved by not choosing Alternate 10A and 10B should be reviewed carefully. Millions of dollars could be saved with the choice of another alternate.

I hope that a decision can be made quickly. People deserve to be able to get on with their lives.

Thank you for providing me the opportunity to share my opinion with you and the DOH.

Sincerely,

*Jane Allen Rutherford*

Jane Allen Rutherford

Enclosures

*Jane Allen Rutherford*  
Allen's Wonderland  
3578 Bakerton Road  
Harpers Ferry, WV 25425

13  
2015



# RECEIPT TAX RECEIPT

JUN 21 2013

ENGINEERING DIVISION

DESCRIPTION	WV DUN	COUNTY	TAX YEAR	TICKET NO.
53.07 AC. NORTH-RIPFON LODGE, ALLEN		JEFFERSON	2012	19046
		DISTRICT		ACCOUNT NO.
		06-KABLETOWN DIST		00016022
		RATE	ASSESSMENT	ASSESSMENT LESS EXEMPTION
		CLASS	ASSESSMENT	TAX DUE (1/2 YEAR)

MAP/PARCEL: 12 0017 0004 0000

RUTHERFORD JANE A ET AL  
3578 BAKERTON RD  
HARPERS FERRY, WV 25425

ROBERT E SHIRLEY 304-728-3220  
SHERIFF & TREASURER

PAYMENT FOR

FULL YEAR PAYMENT REAL PROPERTY

PLEASE EXAMINE VOID RECEIPT CAREFULLY AND

13  
3065

# TAX RECEIPT

DESCRIPTION		COUNTY	TAX YEAR	TICKET NO.
50 AC SOUTH-RIPPON LODGE--ALLEN		JEFFERSON	2012	19047
		DISTRICT		ACCOUNT NO.
06--KABLETOWN DIST				00016023
RATE	CLASS	ASSESSMENT	ASSESSMENT LESS EXEMPTION	TAX DUE (½ YEAR)

MAP/PARCEL: 12 0017 0005 0000

RUTHERFORD JANE A ET AL  
 3578 BAKERTON RD  
 HARPERS FERRY, WV 25425

ROBERT E SHIRLEY 304-728-3220  
 SHERIFF & TREASURER

# TAX RECEIPT

DESCRIPTION		COUNTY	TAX YEAR	TICKET NO.
120.15 AC RIPPON LODGE--ALLEN		JEFFERSON	2012	19045
		DISTRICT		ACCOUNT NO.
		06-KABLETOWN DIST		00016019
RATE	CLASS	ASSESSMENT	ASSESSMENT LESS EXEMPTION	TAX DUE (1/2 YEAR)

MAP/PARCEL: 12 0017 0001 0000

RUTHERFORD JANE A ET AL  
 3576 BAKERTON RD  
 HARPERS FERRY, WV 25425

ROBERT E SHIRLEY 304-728-3220  
 SHERIFF & TREASURER

PAYMENT FOR

FULL YEAR PAYMENT REAL PROPERTY

12  
 19045

August 2016 Workshop/Hearing  
Transcript & Comments



# US 340 PUBLIC HEARING SIGN IN SHEET AUGUST 30, 2016



	NAME	ADDRESS or email
1	Debbie Wilson	Ryans Glen resident
2	EMILY DANIELS	REPORTER
3	Terry Jackson	VDOT, Staunton Dist. Office
4	Cliff Bakerson	VDOT, Staunton Dist Edinburg Res
5	Matt Dana	VDOT Staunton District
6	Ken Lowe	Ken Lowe W/pt. Co.
7	<del>Ken Lowe</del>	
8	Ken Clohan	WVDOH D-5
9	Luide Hall	Rippon, WV
10	TODD WILT	RIPPON WV
11	Cheryl McConnell	Rippon, WV, Ryans Glen
12	Julie F. Louthan	P.O Box 203 Rippon
13	Jane Tabb	Kearneysville, WV
14	Paul J. Raco	Charles Town
15	Barbara Jenkins	Rippon, WV.
16	Guy Jenkins	Rippon, WV
17	John Reisenweber	john@jeda.net
18	Jami Miller	336 RYANS GREEN DRIVE
19	Larry Ruffner	137 Berryville P.ike Charles Town
20	Kelly Tombrak	110 Ryans Glen Drive



# US 340 PUBLIC HEARING SIGN IN SHEET AUGUST 30, 2016



	Name	Address or email
21	Ruth Parker	rm.parker6@hotmail.com
22	NOEL HENDERSON	309 MILLER LANE, CT
23	JUNE ADAMS	P.O. Box 99 Rippon
24	Tara Hough	Po Box 14 Rippon
25	Becky Kingsberry	194 Ryans Glen Dr Charles Town
26	GREGORY J. HEFLERBAUGH	P.O. Box 121 Rippon WV 25441 25441
27	Mark Thekla Sell	P.O. Box 895 Charles Town WV
28	Mark T. Lafferty	PO Box 151 Rippon WV 25441
29	David N. Slusker	P.O. Box 197 Rippon WV 25441
30	DAN ROSS	daniel.rossbach@wvradio.com
31	PETER ONOSZKO	ponoszko@aol.com
32		
33		
34		
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# US 340 PUBLIC HEARING SIGN IN SHEET AUGUST 30, 2016



	NAME	ADDRESS or email
1	RW Jones	VA DEPT OF TRANSPORTATION
2	Steve Pamron	VA Dept Transportation
3	Jerry L. Reid	priv cit.
4	Nancy Briscoe	EPOHOA
5	Bonnie Williamson	Spirit of Jefferson
6	Helen (Hap) Becker	Harpers Ferry Town Council
7	Cheryl McConnell	Resident President Rippon Glen HOA
8	John McRay	244 Tel Farm Lane, Kearneysville
9	Wayne G. Hall	236 Allen Ln Rippon 25441
10	Karen/Bailey-Chapman	1505 Berryville rd Rippon, WV 25441 karen@cb-advocacy.com
11	Al Archer	
12	Dale Manuel	dmanuel@frontiernet.net
13	Wade D. Louthan	P.O. Box 203 Rippon WV 25441
14	Jennie Brockman	planningdepartment@jeffersoncountywv.org
15	Mike Chapman	mchapman@aol.com
16	Herold-Mul	Hagerstown
17	J.P. & Donna Buckles	Charler Town, WV
18	Dan & Judy	S/1001/1001/1001 WV
19	Lain & Rippon	Charl Town
20	R. Aaron Stullenbarger	Stullenbarger@gmail.com



# US 340 PUBLIC HEARING SIGN IN SHEET AUGUST 30, 2016



		Address / Email
21	STANLY MILLER	336 RYAN GLEN DR CHARLESTOWN <sup>25414</sup>
22	Elizabeth Ruffner	137 Berryville Pike Charlestown WV
23	Ron Beach	60 Cuddy CT Charles Town WV 25414
24	Steve Thomas	stthomas@hepmo.net
25	Kimberly Miller	Kdmiller32@gmail.com
26	Kristin + Brad Grubb	<sup>118 W59</sup> kbraxagrubb@gmail.com
27	Allen Wilson	Bigalwilson45@gmail.com
28	Ernest Yates	132 Hidden Hollow Dr Kenneyville WV
29	Joseph Cepelka	131 Myerstown Rd Rippon
30	JAMES HEFLEBOWER	209 BELVEDERE DR NE, CHARLES TOWN WV
31	Helen Lafferty	PO Box 151, Rippon WV 25411
32	Nancy Stolipher	1599 Roper N. Fork Rd Charles Town
33	Doug Stolipher	
34	Glen Hetzel (+1)	Charles Town, WV
35	Steve Stolipher	stevestolipher@hotmail.com
36	MATT MULLENAX	mmullenax@hepmo.net
37	Frank Adams	Charles Town, WV franklinadamsjr@comcast.net
38	CRICKET MORGAN	2157 BERRYVILLE PIKE Rippon 25414
39	Mary Starks Tom	The Journal mstarkstom@journal-news.net
40	Susan Staehle	44 Alyssa Ct Charles town WV stormwater13@yahoo.com





# US 340 PUBLIC HEARING SIGN IN SHEET AUGUST 30, 2016



		Address / Email #15 Edwards Castle
41	Tammy Sirbaugh	TSirbaugh4555@cs.com
42	David S EBB	107 TABBLN Happers Ferry Wv 25425
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# US 340 PUBLIC HEARING SPEAKERS SIGN IN SHEET AUGUST 30, 2016



	NAME	AFFILIATION (ex. Citizen, Legislature, etc)
1	✓ Debbie Wilson	317 Ryans Glen Drive Ct 25414 Resident of Ryans Glen
2	✓ Allen Wilson	" " " "
3	✓ Nance Briscoe	EPOHOA
4	✓ (Lysbeth) Betsy Bainbridge	Harpers Ferry Town Council
5	Karen Bailey-Chapman	Resident on 340
6	✓ Joseph Cepelka	131 Myerstown Rd Residence
7	Geryl McConnell	Ryans Glen HOA Pres. & Resident
8	David Taub	
9	<del>Doug Stalpher</del> Doug Stolipher	
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1 IN THE MATTER OF:  
2 THE INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING  
3 U.S. 340 FOUR-LANE IMPROVEMENT STUDY:  
4 VIRGINIA LINE TO CHARLES TOWN BYPASS  
5  
6 MEETING/HEARING held on August 30, 2016, in the  
7 Council Chambers of Charles Town City Hall, 101 East  
8 Washington Street, Charles Town, West Virginia, at  
9 8:00 p.m.

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PROCEEDINGS

MS. JONES: Good evening everyone. We're going to get started right now.

I'm Carrie Jones with the West Virginia Department of Transportation. Tonight's public hearing is being held jointly by the West Virginia Division of Highways and the Federal Highway Administration. On behalf of these two agencies, we would like to welcome you this evening.

This evening's proceedings are being recorded by the stenographer, and the transcript will become part of the official project record. For those of you who prefer to submit written comments, forms for this purpose are also available. You can get those in the handout over here. Comments can be submitted here tonight in writing, by E-mail, or on our website. Any written comments or supporting materials submitted during the comment period will also become part of the project record.

And while we will not be answering questions during the recorded hearing this evening, after the hearing, we will have staff here available to answer any questions that you have.

1 With me tonight is Alison Rogers, the  
2 Environmental Program Manager for the Federal Highway  
3 Administration's West Virginia Division, and Dirar Ahmad,  
4 West Virginia DOH Engineering Divisions, Consultant Review  
5 Section Head.

6 At this time I'd like to ask any elected  
7 officials speaking tonight to gather to the microphone.  
8 No one has signed up, but if you do wish to speak, we're  
9 going to give you that right first. We will be hearing  
10 from all of you.

11 And while you're getting ready, if any would like  
12 to speak, I'd like to introduce Alison Rogers. Alison?

13 MS. ROGERS: Thank you, Carrie. Thank you,  
14 Carrie. I'm Alison Rogers with the--I'm the Environmental  
15 Program Manager with the Federal Highway Administration,  
16 West Virginia Division, in Charleston.

17 Federal Highway Administration, in conjunction  
18 with the DOH, is proposing to improve the existing  
19 two-lane highway section of U.S. 340 in Jefferson County  
20 from the state line between Virginia and West Virginia to  
21 the Charles Town bypass in Jefferson County. The proposed  
22 project is needed to improve traffic operations, increase  
23 capacity, eliminate deficiencies and improve safety.

24 The Federal Highway Administration, along with

1 the DOH, is working diligently to ensure the project needs  
2 are met, while minimizing impacts to the environment. We  
3 are pleased to be part of this effort and look forward to  
4 further success in advancing the project.

5 Thank you. And now I will turn the hearing over  
6 to Dirar Ahmad.

7 MR. AHMAD: Thank you, Alison. Thank you,  
8 Carrie. Again, my name is Dirar Ahmad, and we thank you  
9 for being here tonight.

10 The purpose of this public hearing is to provide  
11 an update on the progress of the U.S. 340 Improvement  
12 Study, and to receive formal comments, that is oral or  
13 written, on the project.

14 At the June 3, 2013--that's the last time we were  
15 here--when we had Informational Public Meeting and  
16 Workshop and Hearing, newly developed alternatives or  
17 modification to the original Alternative 4 were presented.  
18 Those were designated as 4C, that's Alternative 4C, 10A,  
19 10B. and 11. Those were the focus of that meeting and  
20 workshop. This workshop tonight will present Preferred  
21 Alternative 4A, as most of you who are here earlier looked  
22 at, and you had very wonderful, very nice questions. And  
23 I hope we answered them to your expectation. And they will  
24 present Supplemental Draft Environmental Impact Statement,

1 short for S.D.E.I.S.

2       There ever project maps, as you saw earlier at  
3 the meeting today. You are encouraged earlier to look at  
4 them and examine them. Again, we're available to provide  
5 you with any answers. Again, I hope we answered your  
6 questions. These maps will still be available after the  
7 meeting if you wish to look at them and examine them  
8 again. And if another question come up that, you know,  
9 you thought of it during this, that will be more than  
10 happy available to answer these questions or comments. A  
11 comment sheet--I explained to several of you--is available  
12 for you at the end of your handout, that you are  
13 encouraged to fill. We value your opinions. We want to  
14 hear from you, that's why we are here. Please feel free  
15 to provide these comments to us, either orally, or,  
16 during, you know, go to our website, which is  
17 [www.transportation--the word \"transportation\"--.WV.gov](http://www.transportation--the word \).  
18 Under public comments, engineering projects, and this  
19 project is U.S. 340. All of these comments will become  
20 part of the official record and the project record.

21       Comments on the project are due September 30,  
22 2016. Following the close of the comment period, the  
23 project team will address comments in the Final  
24 Environmental Impact Statement, again short F.E.I.S.,

1 along with a selected Alternative. Following the receipt  
2 of public and agency comments on the F.E.I.S., during the  
3 30-day period comment, a R.O.D. will be issued. That's  
4 short for Record of Decision. And that will basically  
5 conclude and complete what we call the NEPA process, which  
6 stands for National Environmental Policy Act. The final  
7 design of the selected alternative will be developed by a  
8 design build team.

9       If you have a question, some of you asked about  
10 what design build mean, we answer them. If you still have  
11 questions, we are--you are not clear, we'll be more than  
12 happy to answer them after the testimonies.

13       Our purpose tonight is to listen to your comments  
14 and place them in this official record. All of the  
15 information you provide is important, but questions from  
16 the floor will not be answered directly during testimony.  
17 However, any questions you ask during your testimony when  
18 you stand at the microphone will become part of the  
19 official record. But if you are not on the microphone and  
20 you ask question, that will not become part of the record.  
21 You may also talk individually to me or our staff who are  
22 available here after. But please remember, only written  
23 comments and testimony will become part of the official  
24 record.



1 I now turn the hearing over to Carrie who has a  
2 few instructions to you in that--for the purpose of giving  
3 your testimony. Thank you.

4 MS. JONES: I'd like to remind everyone, that we  
5 are recording this hearing, and also the City of Charles  
6 Town is recording this on their website. So when offering  
7 your testimony, please speak directly into the microphone.  
8 And we also need you to provide your full name, and also  
9 have been requested to spell it for the stenographer.  
10 Offer your address, and any organization you may  
11 represent, before giving your testimony.

12 We'll call people to testify in the order in  
13 which they have signed up in front. Please come to the  
14 microphone when your name is called.

15 To provide an equal opportunity for everyone to  
16 speak, we have allotted each person only five minutes, and  
17 will use a traffic signal to keep things on schedule. You  
18 can see the traffic signal over here. We're the DOH. You  
19 have to do that.

20 After coming to the microphone, a green light  
21 will indicate that you may start, the yellow light will  
22 indicate that you have one minute left, and the red light,  
23 of course, will indicate that your time is over. At that  
24 time, please yield the microphone immediately when you see

1 the red light.

2 Now we'd like to call the first public official  
3 to the microphone. Are there any public officials that  
4 are wanting to speak tonight?

5 (No response)

6 All right. If not, you have had your chance  
7 there. We will move on to the first person that is  
8 offering the testimony this evening, would be Debbie  
9 Wilson. Please remember, speak into the microphone, full  
10 name, spell it, your address, and any organization.

11 MS. WILSON: I'm Debbie Wilson, D-E-B-B-I-E,  
12 Wilson. I'm a resident of the Ryan's Glen Development.  
13 The development that's being very badly affected by  
14 Alternative 4A.

15 I just want to give you a brief history of what's  
16 happened, because I'm sure most of you will be thinking  
17 about something different if you understood what happened.

18 The Ryan's Glen Development was approved by the  
19 Jefferson County Planning Commission in 2003. I have  
20 heard the audiotape of the public hearing at which two  
21 community leaders mentioned: What are you doing? You're  
22 putting a home development in the path of the highway?  
23 Their comments were ignored. The development was  
24 approved. The Planning Director at that time later went

1 to work for the builder of the Ryan's Glen Development as  
2 a consultant. That makes me wonder a little bit.

3       Fast forward to 2012, a hearing was held by the  
4 West Virginia Department of Highways, and none of the  
5 residents of Ryan's Glen were notified in writing about  
6 that hearing. The only sign was a flashing light on the  
7 highway that you wouldn't see unless you slowed down and  
8 got hit. John Massie told our H.O.A. President about it,  
9 or that hearing would have taken place without any  
10 resident being present. Whatever happened to legal  
11 notice?

12       Okay, and now I just want to tell you personally,  
13 and beg for a little bit of help here. When we moved to  
14 Ryan's Glen, my husband and I were recently married. He  
15 had already been diagnosed with a life-threatening  
16 illness, and we hoped to live in a peaceful environment,  
17 and for a long time, I did a three-hour one-way commute to  
18 make that possible.

19       When we bought, we were assured by Dan Ryan  
20 Builders, and by Lou Athey, that the property up front  
21 were where the three homes now are facing destruction  
22 weren't even going to be developed, with the remainder  
23 ten-acre lot, as well as the lot behind us.

24       Nothing was said to us about the possibility of a

1 road. Nothing turned up on the Google searches that  
2 either me or our neighbors conducted at that time. And as  
3 a result of this situation, my husband's illness that had  
4 been in remission, after this came to light, and I believe  
5 due to the stress, resurfaced. So, for us, it is matter  
6 of life and death, in my opinion.

7 But what about everybody else? From the point  
8 forward that that became public knowledge, people could  
9 not refinance. They could not sell their homes at a  
10 reasonable price.

11 Our Government has a duty to protect the citizens  
12 which pay its salaries. In this case, the County of  
13 Jefferson allowed our development to be approved in the  
14 path of Route 340, and now they are asking the residents  
15 of our development to pay the price for their lack of  
16 planning.

17 There are three young families at the mouth of  
18 our development that moved in, and only six months later  
19 were told that the highway department wanted to take their  
20 homes. Can you imagine how they feel? If you have read  
21 the comments from 2013, one family had to put off  
22 having--beginning their family and starting a business due  
23 to the instability of this financial mess has imposed upon  
24 them. Another young family moved in. They have been

1 there for four years. They have put down roots. And now  
2 they are going to have to move, with their young children,  
3 if this is allowed to stand.

4       Some people have said: Oh, well, they are  
5 willing to have their property taken. No, they are not.  
6 They are willing if they were compensated fairly, but fair  
7 market value won't cut it, because many of these people  
8 are under water, and if they are forced out of their  
9 homes, through no fault of their own, many of them can be  
10 forced into bankruptcy.

11       Now what about the rest of people that aren't  
12 going to lose their homes? There's one resident that felt  
13 that, you know, that they would have liked to have had the  
14 choice to know about this road before buying. Their home  
15 is now going to be noisy.

16       All right. One more thing. We went and asked  
17 the for tax relief before the Jefferson County Commission.  
18 One commissioner wanted to give it to us because of what  
19 happened. It was denied. So, they failed to protect the  
20 residents of Ryan's Glen, and then they refused to give  
21 them tax relief.

22       All I can say as I stand here right now--I am a  
23 city employee. In June this City passed the Golden Rule  
24 as its motto. And those of us that work here try to make

1 that a reality in the way that we treat others. I'm  
2 asking all of you to consider if what has been done to the  
3 residents of Ryan's Glen is fair? Is this how you would  
4 like to be treated? Many of my neighbors have gone home  
5 because they don't think that anyone cares. And so my  
6 question to you is: Could you please move the road away  
7 from our development? Failing that, give the people who  
8 deserve it really what they deserve. I'm asking one  
9 thing: Does anyone care about Ryan's Glen? Thank you.

10 MS. JONES: Next we would like to call Allen  
11 Wilson?

12 MR. WILSON: Good evening, ladies and gentlemen.  
13 My name is Allen Wilson. Ryan's Glen. It seems that the  
14 decision's apparent.

15 The protagonist, I guess in this whole thing, is  
16 the builder. Since we're being taped, I won't go on  
17 record to say who he is, but everyone basically knows.

18 From a disclosure perspective, or lack of  
19 disclosure, had we known this major impact, we probably  
20 wouldn't have bought the two acres of land we did.  
21 Fortunately for Erin and I, aka Debbie Wilson, we won't be  
22 as badly impacted as some of our neighbors.

23 What I'd like to ask, or the perspective that you  
24 should have, is now that we're going to be impacted, I

1 think we ought to consider, or you ought to consider  
2 looking at what they do in Loudoun County, in Ashburn  
3 Farms and places like that, when they combined retail,  
4 industrial, and residential, and how they put up barriers  
5 and landscaping to make it look nice, and not just have a  
6 four-line, with dirt and grass that usually gets mowed  
7 once a summer, next to the development.

8       So we should have a noise barrier to minimize the  
9 impact of any residents that are left here.

10       That's all I have to say. Thank you.

11       MS. JONES: Next to the microphone, Nance  
12 Briscoe?

13       MS. BRISCOE: Good evening, I'm Nance Briscoe. I  
14 live in Cloverdale Heights, just ahead of Ryan's Glen down  
15 the road.

16       I would like to say, prior to purchasing my home  
17 in Cloverdale Heights, Marcus Enterprises, with Charlie  
18 Marcus and Terry Marcus, stated to my husband and I: Are  
19 you sure you want to buy the house on this particular lot?  
20 They are going to put in a four-line highway.

21       We asked if someone could please get a surveyor  
22 out there. They got ahold of Shepp over at Appalachia  
23 Survey, I believe, and he came out with orange paint, and  
24 he painted the property lines. He painted an easement.

1 He painted a fence line. He painted where the berm was.  
2 He painted a 10 or 12-foot easement of the road. He  
3 painted where the two roads were going to be. The center  
4 line. And said: This is where the road is going to be.

5 We bought our home. One, because we liked the  
6 lot. Two, we liked Jefferson County. Three, we really  
7 liked the people that we had met here. They are honest,  
8 they are straight forward, they disclosed information to  
9 us that they didn't have to. They also said it was a  
10 proposed four-lane highway that would be 45 miles an hour  
11 from the center of Shepherdstown out to Berryville, West  
12 Virginia. This is 1984, 1987.

13 In 2001 the proposed four-lane highway from Roper  
14 North Fork where Cloverdale stops at the Mickey Farm, out  
15 to Berryville, is the proposed road where no disclosure  
16 was provided. I have tried through the Eastern Panhandle  
17 Organization of Homeowners Associations after I learned  
18 about Ryan's Glen and other homes. Disclosure is a  
19 paramount activity in the state of West Virginia, not just  
20 material disclosure.

21 I would encourage the Department of Highways,  
22 Department of Transportation, the environmental impact  
23 people, the historical people that bring property into the  
24 National Registry, work with the legislative body and try



1 the best you can for disclosure in West Virginia. Because  
2 you provided a proposed road in 1984-87 doesn't mean it is  
3 going to stop at Roper North Fork. It is going to  
4 continue until you get to the Virginia state line.

5 Homeowners don't know this.

6 Yes, the Planning Commission approved that  
7 property because they didn't have anything firm in writing  
8 signed. I saw your timeline tonight. And I mentioned to  
9 several of you: It shouldn't be 2012. It should have  
10 been 1996. Because that's when Roper North Fork to  
11 Berryville had the proposal put in place. Ryan's Glen was  
12 approved 2003. 2008, they received the rights by deed of  
13 their common area. They also received, a few years later,  
14 a surprise, they are going to lose those brand new homes.

15 It is not your fault, folks. It is the fault of  
16 West Virginia not having full disclosure of even proposed  
17 roads. I encourage you all to work with the Legislature.  
18 You're high enough on that ladder to do that.

19 I thank you for your time, and I thank you again  
20 for another workshop, another set of beautifully printed  
21 maps, and I do wish you would do this again when you start  
22 the roads. Thank you.

23 MS. JONES: Next would be--be called is Betsy  
24 Bainbridge?

1 MS. BAINBRIDGE: Good evening. I'm Lysbeth  
2 Bainbridge, L-Y-S-B-E-T-H, B-A-I-N-bridge. I represent  
3 the Mayor and the Town Council of the Corporation of  
4 Harpers Ferry.

5 Harpers Ferry has no opposition to the proposed  
6 improvements under consideration as long as the residents  
7 and property owners of Rippon, West Virginia are satisfied  
8 with the plan, that the plan will not adversely affect  
9 their quality of life, and the value of their real  
10 property. Indeed, we applaud the West Virginia Department  
11 of Highways and the Hagerstown-Eastern Panhandle  
12 Metropolitan Organization for your steadfast efforts to  
13 consider all reasonable solutions to improving the traffic  
14 and safety problems that affect the economic vitality,  
15 safety and well-being of everyone who lives in, works in,  
16 or travels to the pan--Eastern Panhandle.

17 Those of us who live in Harpers Ferry are proud  
18 to live in the eastern gateway to our state, and equally  
19 proud of the increased stature that West Virginia has as  
20 its destination for outdoor recreation and historic  
21 tourism. Harpers Ferry has been an eager participant of  
22 this growth.

23 We note with interest the U.S. 340 East Corridor  
24 Study, nine miles between Charles Town and Harpers Ferry,

1 the traffic difficulties in this part of the county have  
2 been included as part of the gateway enhancement efforts  
3 since 2004.

4       We also note that improvements to Route 340 in  
5 the Harpers Ferry area are also part of the envisioned  
6 2035 Improvement plan for Jefferson County. Addressing  
7 the congestion and safety of 340 east is becoming a  
8 pressing need, and we urge you to tackle those problems at  
9 the Harpers Ferry end of 340, as well as those  
10 surrounding.

11       Those of us who live in Harpers Ferry have  
12 learned not to run our errands on summer weekends. We  
13 encourage our guests to leave early on Sunday, or stay  
14 over until Monday. We plan for hours of stalled traffic  
15 and simmering vehicles. Entering or exiting 340 at  
16 Shenandoah Street, Union Street and Washington Street  
17 during commuting hours and on summer and on weekends is  
18 extremely dangerous. We are also aware, as you must be  
19 aware, that the future economic vitality of this area is  
20 dependent upon the ease and safety with which commuters,  
21 long-haul truckers, and tourists can move into and out of  
22 the eastern part of the county.

23       We understand that the major bottle neck which  
24 thwarts efforts to improve vehicle transportation on Route

1 340 east to and from the metropolitan areas of Baltimore  
2 and Washington is in fact a problem that must be  
3 addressed, not only by WVDOH, but also by those  
4 departments in Maryland and Virginia, and by the Federal  
5 Government.

6       The short distance between the Shenandoah River  
7 and the Potomac River funnels traffic from four lanes to  
8 two lanes, to and from Maryland, through Virginia, along  
9 Federal Government lands and into and out of West  
10 Virginia, one vehicle at a time, at a trickle that will  
11 defeat the quality of road improvements at either end.

12       So why, you may ask, do we appeal to you this  
13 evening? It is very simple. You have demonstrated that  
14 you can get things done. We hope that you move forward  
15 towards solutions to traffic and safety problems in  
16 Rippon. And soon we hope on the stretch of the road  
17 between Charles Town and Harpers Ferry. We encourage you  
18 to consider the whole picture of 340. We hope you will  
19 insist that the stretch of road that includes Shenandoah  
20 and the Potomac River bridges on 340 must be part of the  
21 regional effort to improve the safety and ease of travel  
22 for those who live in the Eastern Panhandle, and those who  
23 wish to visit our beautiful and historically important  
24 sites.

1 That said, tell us what we can do to help you.

2 MS. JONES: Next to speak is Karen

3 Bailey-Chapman.

4 UNIDENTIFIED SPEAKER: She's not here.

5 MS. JONES: She's not here? Next to speak is  
6 Joseph Cepelka? And please make sure to spell and say  
7 that name for us, because I don't think I did that  
8 correctly.

9 MR. CEPELKA: I'm Joseph Cepelka, C-E-P-E-L-K-A.  
10 I live in Myerstown Road, 131. I know that this project  
11 does not satisfy everybody's needs, and I think of the  
12 four that you have got out here, the 4A is probably, in my  
13 opinion, the best that there is on the table right now.  
14 And hopefully you can modify it to help some people that  
15 are going to be displaced. But in my opinion, it is the  
16 best that we have to offer at this time. Thank you.

17 MS. JONES: Next to speak is Cheryl McConnell.

18 MS. MCCONNELL: Good evening. My name is Cheryl,  
19 C-H-E-R-Y-L, last name McConnell, M-C-C-O-N-N-E-L-L. I am  
20 a current resident of Ryan's Glen. In fact, we were--my  
21 husband and I were the first to build there. I am the  
22 current President of the H.O.A..

23 That being said, I think that our entire  
24 neighborhood is being hurt by this. We're a small group.

1 We all bought there thinking that, you know, this was kind  
2 of a dream for some of us. It was, you know, a post  
3 children leaving the nest. But in retrospect, had we been  
4 given the proper information, none of us would have bought  
5 there. It would have not happened, and you would not be  
6 in the situation that you find yourself in today.

7 I would ask that going forward that there be a  
8 disclosure, honesty, because nobody needs to be in this  
9 position. We have been stuck with this indecision for  
10 three to four years now. And some of these homes haven't  
11 been built that long.

12 And it is sad to see your neighbors being ripped  
13 apart. It is a neighborhood. We're small, but we're  
14 still a neighborhood. And I--I think that the choice with  
15 the one you have chosen is fairly good. I would like to  
16 have seen 4C, because I think it saved more of our  
17 homeowners. But given your input, I know that these  
18 projects--living with a person who does this for a living,  
19 too, I know that this is a lot of work, and a lot of time,  
20 and a lot of hours, and I appreciate your giving us the  
21 opportunity to speak about it and to meet again.

22 In the future, it would have been nice to have  
23 been notified by mail, as they said they were going to do.  
24 I think some people in our neighborhood did get notified,

1 but not everybody. So, I think that everybody deserves  
2 that.

3 And I want to thank you all for spending--taking  
4 your time and for giving us this opportunity to speak to  
5 you. Thank you.

6 MS. JONES: We have no one else listed on the  
7 sign-in sheet, but does anyone else wish to comment at  
8 this time? Okay, sir, you can come to the microphone, and  
9 just please state your name, spell it for us, your  
10 address, and if you're affiliated with any organization?

11 MR. TABB: My name is David Tabb, T-A-B-B.,  
12 resident, business owner, family man, donator. Done it  
13 all. Even been a pallbearer too many times. We are born  
14 and we die.

15 This road should have been completed years ago.  
16 This road started in '65. Why are we even here? I have  
17 paid millions in tax dollars, millions, but yet we have  
18 Corridor H.? Beautiful road, but there's eight counties  
19 that produce 80 percent of the wealth in the state. We  
20 subsidized Corridor H.. When do we, the Jefferson  
21 Countians, Jefferson-tonians, get our road? When?

22 We have had 340 since '65, starting nowhere,  
23 going nowhere, ending nowhere. It's sad. You have spent  
24 millions of dollars--these maps and stuff? I don't even

1 have a clue how much they cost. The waste of money is  
2 horrendous. I can account for every dollar that I have  
3 made or lost. And a pile of it has been spent fighting  
4 the Government. I got three cases right now to the West  
5 Virginia Supreme Court. I have been to the U.S. Supreme  
6 Court nine times. I'm a high school graduate of Jefferson  
7 County. This is sad.

8       When are you all going to build the road? We  
9 have wasted millions. You are going to put peoples--other  
10 property in jeopardy. It should have never been left to  
11 build.

12       It is not all your faults, but it has got to end.  
13 We have to get this done. Do you also understand that 340  
14 now is our new HAZMAT alternate route? Anybody tell you  
15 that? We're dumping some of the most toxic, hazardous  
16 materials on Route 340 going through our neighborhoods.  
17 And on top of it, here's an example right here. The stop  
18 light. Yeah, nine of them on 340 between Charles Town and  
19 Harpers Ferry. What the heck? What are we doing?  
20 Four-lane highway with stop lights on it? Whose bright  
21 idea was that?

22       I was on the 340 Corridor Commission in Jefferson  
23 County. Over \$300,000 was spent. I never got a penny of  
24 it. I volunteered two years of my time. I wrote, I



1 designed, I drew, alternate routes to make 340 whole  
2 again. And where did it go? No place. I drew and  
3 submitted to Maryland and Virginia and West Virginia an  
4 alternate way to take care of Harpers Ferry. All you have  
5 to do is build a bridge overtop of what you have got.  
6 That's all you have to do. It is done all over the world.  
7 And it takes care of three letters. It is called E-P-A.  
8 If you build a road overtop of another road, you don't  
9 have to meet any other watershed issues.

10       These things are so simple. I build things, I  
11 fix things, I don't see why everybody else can't. I just  
12 don't have a piece of paper saying I can do it, but I have  
13 got proof of everything that I have done.

14       Build the road. Thank you.

15       MS. JONES: Does anyone else wish to comment?

16       MR. STOLIPHER: Yes, ma'am, Douglas Stolipher.  
17 I'm probably out at the south end of the county, and as a  
18 property owner, I have been waiting 17, 18 years for this  
19 road to be built, which I knew was coming. And I can't  
20 make any plans for my future, or my family's future on the  
21 farms and everything, until I know where this road is  
22 going. So we need to get this road built and get done  
23 with it, because we have been waiting 16, 17 years for a  
24 road that's supposed to be built a long, long time ago.

1           So I know it is going to hurt some families,  
2 I know this. It is going to hurt me. It is go across  
3 me a couple times, because it is going to split my  
4 farms in two. But we need to get this road built.

5           And the traffic coming down 340 now on the  
6 side roads, you cannot get out. So we need--30,000  
7 vehicles or so that cross that road every day. We  
8 need to get this--we just need to get it done.

9           MS. JONES: Sir, can you spell your name for  
10 us, please?

11          MR. STOLIPHER: S-T-O-L-I-P-H-E-R.

12          MS. JONES: Anyone else wish to speak this  
13 evening? If not, please let the record show that no  
14 further verbal comments were offered this evening.  
15 And we'd like to thank everyone for tonight's hearing.  
16 And this hearing is now adjourned.

17          (Public hearing adjourned)

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1 STATE OF WEST VIRGINIA

2 COUNTY OF JEFFERSON, to wit;

3 I, Terry C. Hamrick, a Commissioner within and  
4 for the County and State aforesaid, duly commissioned  
5 and qualified, do hereby certify that the attached  
6 transcript of the Public Meeting/Hearing meets the  
7 requirements set forth within article twenty-seven,  
8 chapter forty-seven of the West Virginia Code to the  
9 best of my ability at the time I submitted the same to  
10 Realtime Reporters, LLC, 713 Lee Street, Charleston,  
11 West Virginia on September 2, 2016, for production,  
12 distribution, and billing. Said transcript was duly  
13 taken by me and before me at the time and place and  
14 for the purpose specified in the caption hereof.

15 I do further certify that the said transcription  
16 consisting of 24 pages was correctly taken by me in  
17 stenotypy notes, and that the same were accurately  
18 written out in full and reduced to typewriting.

19 My West Virginia Commissioner commission expires:  
20 June 7, 2023.

21 Given under my hand this 2nd day of September,  
22 2016. /s/ Terry C. Hamrick

23 Registered Professional  
24 Reporter  
RMR, CRR

*Terry C. Hamrick*

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1 STATE OF WEST VIRGINIA  
2 COUNTY OF KANAWHA, to wit;  
3 I, Teresa Evans, owner of Realtime Reporters,  
4 LLC, do hereby certify that the attached  
5 meeting/hearing transcript meets the requirements set  
6 forth within article twenty-seven, chapter forty-seven  
7 of the West Virginia Code to the best of my ability.

8 Given under my hand this 2nd day of September,  
9 2016.

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12

13 /s/ Teresa Evans

14 \_\_\_\_\_  
Registered Professional  
Reporter

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DATE: 8/30/16

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

DATE: Tuesday, August 30th  
LOCATION: Charles Town City Hall  
Council Chambers Room  
SUBJECT: INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING  
PROJECT: US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

COMMENTS DUE BY Tuesday, September 30, 2016

Please consider the following comments:

Placement of buffer - in bankment;  
trees, ~~sub~~ landscaping to provide noise  
and site aesthetic for easement area

(Please print the following information)

NAME: ALLEN WILSON

ADDRESS: 317 RYAN'S GLEN, CHARLES TOWN WV  
25404

ORGANIZATION (IF ANY): \_\_\_\_\_

How did you hear about the Informational Workshop Public Meeting?

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

DATE: 8/30/16

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

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SUBJECT: INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING  
PROJECT: US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

COMMENTS DUE BY Tuesday, September 30, 2016

Please consider the following comments: I LIVE IN THE RYANS GLEN SUBDIVISION. I AM VERY MUCH IN SUPPORT OF THE 340 IMPROVEMENT PROJECT. I AM ANXIOUSLY AWAITING A RECORD OF DECISION. NO MATTER WHICH ALTERNATIVE IS CHOSEN, BUILDING A 4 LANE ROAD WILL IMPROVE THE SAFETY FOR ALL. EACH WEEKDAY I TURN LEFT OUT OF MY SUBDIVISION TO HEAD TO WORK, EACH TIME I HOPE I AM NOT HIT BY A VEHICLE I CAN'T SEE. TURNING INTO MY SUBDIVISION EACH EVENING I HAVE NEARLY BEEN REARENDED NUMEROUS TIMES. PLEASE MOVE FORWARD WITH THIS PROJECT BEFORE SOMEONE IS INSURED OR KILLED.

(Please print the following information)

NAME: Jami MILLER Jami Miller

ADDRESS: 336 RYANS GLEN DRIVE

ORGANIZATION (IF ANY): \_\_\_\_\_

How did you hear about the Informational Workshop Public Meeting?

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

DATE: 8.30.16

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

DATE: Tuesday, August 30th  
LOCATION: Charles Town City Hall  
Council Chambers Room  
SUBJECT: INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING  
PROJECT: US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

COMMENTS DUE BY Tuesday, September 30, 2016

Please consider the following comments:

I LIKE 4A

(Please print the following information)

NAME: NOEL HENDERSON

ADDRESS: 309 POWELL LANE, CT 25414

ORGANIZATION (IF ANY): \_\_\_\_\_

How did you hear about the Informational Workshop Public Meeting? \_\_\_\_\_

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

DATE: 08/30/16

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

DATE: Tuesday, August 30th  
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U219-340-0.00  
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Jefferson County

COMMENTS DUE BY Tuesday, September 30, 2016

Please consider the following comments:

THIS ROAD EXPANSION IS NEEDED.  
ALTERNATE 4A IS THE BEST ROUTE OF THE 3 ROUTES LEFT.  
I AGREE WITH THE 4A CHOICE. I WOULD LIKE TO SEE  
ADDITIONAL SOUND BARRIERS (TREES) BETWEEN THE NEW  
ROAD AND THE RYANS GLEN SUBDIVISION. A DECISION  
NEEDS TO BE MADE ON THE ROUTE SOON. PROPERTY OWNERS  
NEED TO KNOW HOW THIS WILL AFFECT THEM

(Please print the following information)

NAME: STANLY MILLER

ADDRESS: 336 RYANS GLEN DR CHARLES TOWN WV  
25414

ORGANIZATION (IF ANY): \_\_\_\_\_

How did you hear about the Informational Workshop Public Meeting? \_\_\_\_\_

LETTER

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

Ms. Lucy M. Athey  
P.O. Box 589  
Oriental, NC 28571

September 23, 2016

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301



In Re: US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass.  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

Dear Mr. Scites,

Please accept these comments on the US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass. Thank you for having a Public Information Session and Public Hearing on August 30, 2016 in Charles Town. Although I couldn't attend, my representative was in attendance at that meeting. I also had a representative at the meeting in September 2012 about the same subject and submitted a letter to Mr. Gregory Bailey regarding the same matter at that time.

I own 9 parcels that are severely impacted by the proposed project. These parcels include: Parcels 31 and 32 on Map 10A in the Kabletown District (County Green, LLC); Parcels 2.6 and 2.7 on Tax Map 10 in the Kabletown Tax District (340 South, LLC); and, Parcels 2.3, 2.4, 2.5, 2.8 and 2.9 on Tax Map 10 in the Kabletown Tax District (Lucy M. Athey). These parcels were developed and approved by the Jefferson County Planning Commission for house construction. The intent was to market the lots for house construction in order to recoup the costs that were put into the development of the parcels and the infrastructure that was built.

While I do not have an issue with the acceptance of Alternative 4A (Preferred Route) as the new four-lane US 340, I do have an issue with damages associated with the process that have prevented these lots from being developed. This process has essentially stopped all ability to market the lots for house construction due to the fear that the houses and/or lots would be adversely affected by the new road. This problem existed during the last iteration of the Alternatives in 2012, and continues during this new proposal and Impact Study. All of the proposed Alternative 4 Routes impact the lots in a different way to prevent any knowledge of decent house construction sites in this development.



Now that Alternative 4A seems to be the route that will be selected, a strange configuration appears to take some lots, renders others inappropriate for good house and septic location and isolates two lots that will be served by an under or over pass? It would appear that these isolated lots that are served by a new road that crosses over to the East side of the new US 340 Four Lane could be purchased, rather than the State bearing the costs to build the proposed configuration to serve them.

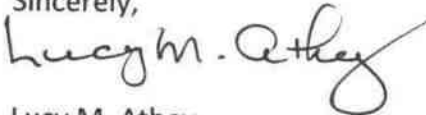
Again, this process has prevented me from selling or building on the lots as they were approved for house sites by the Planning Commission. Please consider the purchase of these lots in advance of the normal ROW purchase procedures so that houses aren't constructed on these parcels. Such a scenario will save the State a lot of money as you would not have to relocate additional households.

I am continuing to market these lots for the construction of houses, but would prefer to negotiate with the State to alleviate additional costs and delays. I continue to pay the highest rate of taxes on these lots since the Assessor considers these lots as buildable lots. I cannot continue to pay such high taxes without the ability to sell or build on these approved house lots.

Please contact me at your earliest convenience in order to discuss ways to solve this dilemma in both of our best interests.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Lucy M. Athey". The signature is written in black ink and is positioned to the right of the typed name.

Lucy M. Athey

DATE: 9/26/16

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301



DATE: Tuesday, August 30th  
LOCATION: Charles Town City Hall  
Council Chambers Room  
SUBJECT: INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING  
PROJECT: US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

COMMENTS DUE BY Tuesday, September 30, 2016

Please consider the following comments:

Comments and signature attached

(Please print the following information)

NAME: Mike Chapman

ADDRESS: 1505 Berryville Pike Rippon

ORGANIZATION (IF ANY): \_\_\_\_\_

How did you hear about the Informational Workshop Public Meeting?

Letter in mail

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

September 25, 2016

Mr. RJ Scites, PE  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

Re: US 340 Four-Lane Improvements Study: Virginia Line to Charles Town Bypass

Dear Mr. Scites:

My residence is located at 1505 Berryville Pike in Rippon, West Virginia. It is depicted as property number 121 on your map. Currently, I have three access points onto Route 340 to my property which runs from Scooter Lane to Earl Ellifritz Road. Immediately south of my property is Scooter Lane (Rippon Mobile Home Park) which also accesses Route 340. There are ten total residences which access Scooter Lane and enter on to Route 340. I own six of the properties which access this lane.

Based on the information provided by WVDOH on August 30, 2016, please find below my comments and recommendations.

I support the recent 2016 presentation of 4A. It appears as though DOH has taken into account my request from 2012 and 2013 as the "Y" type intersection is not depicted on property 121. Below is the excerpt from previous letters which restates that request. I want to include it here one more time.

"Alternative 4A: This alternative proposes an access road to the re-aligned Route 340 which includes a "Y" type intersection with one leg of the intersection northeast of my property and the other leg southwest of my property with the intersection of the "Y" directly in front of the main entry into my property. The southern leg of the "Y" intersection does not appear to follow the existing Route 340 roadway which results in an additional right-of-way taking on the frontage of my property.

**Recommendation: Since I own a majority of the residences on Scooter Lane and this would not be a heavily used access road, I would recommend that this access road follow the existing Route 340 roadway with no additional right-of-way taken for the improvements. I have coordinated with the other residents regarding this option and have attached their signatures indicating their agreement that this recommendation is an acceptable alternative to the significant improvements in this area that are being proposed by WVDOH."**

**Additional Thoughts:** I wish to request that you BUILD THIS ROAD. I want break the holding pattern I have been in for over a decade awaiting this decision.

I appreciate your consideration of my comments above and my recommendations. Should you have any questions or comments, please do not hesitate to contact me.

Regards,









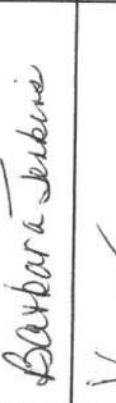



A handwritten signature in black ink, appearing to read 'P. M. Chapman', with a long horizontal flourish extending to the right.

Paul Michael Chapman  
1505 Berryville Pike  
Rippon, WV 25441  
(304) 279-6297

As a resident of the effected area, I support the letter from Paul M Chapman. 4A is an acceptable alternative as long as No right-of-way changes are needed or desired on the west side of Rt. 340 in the Rippon community between Scooter Lane and Earl Ellifritz Road.

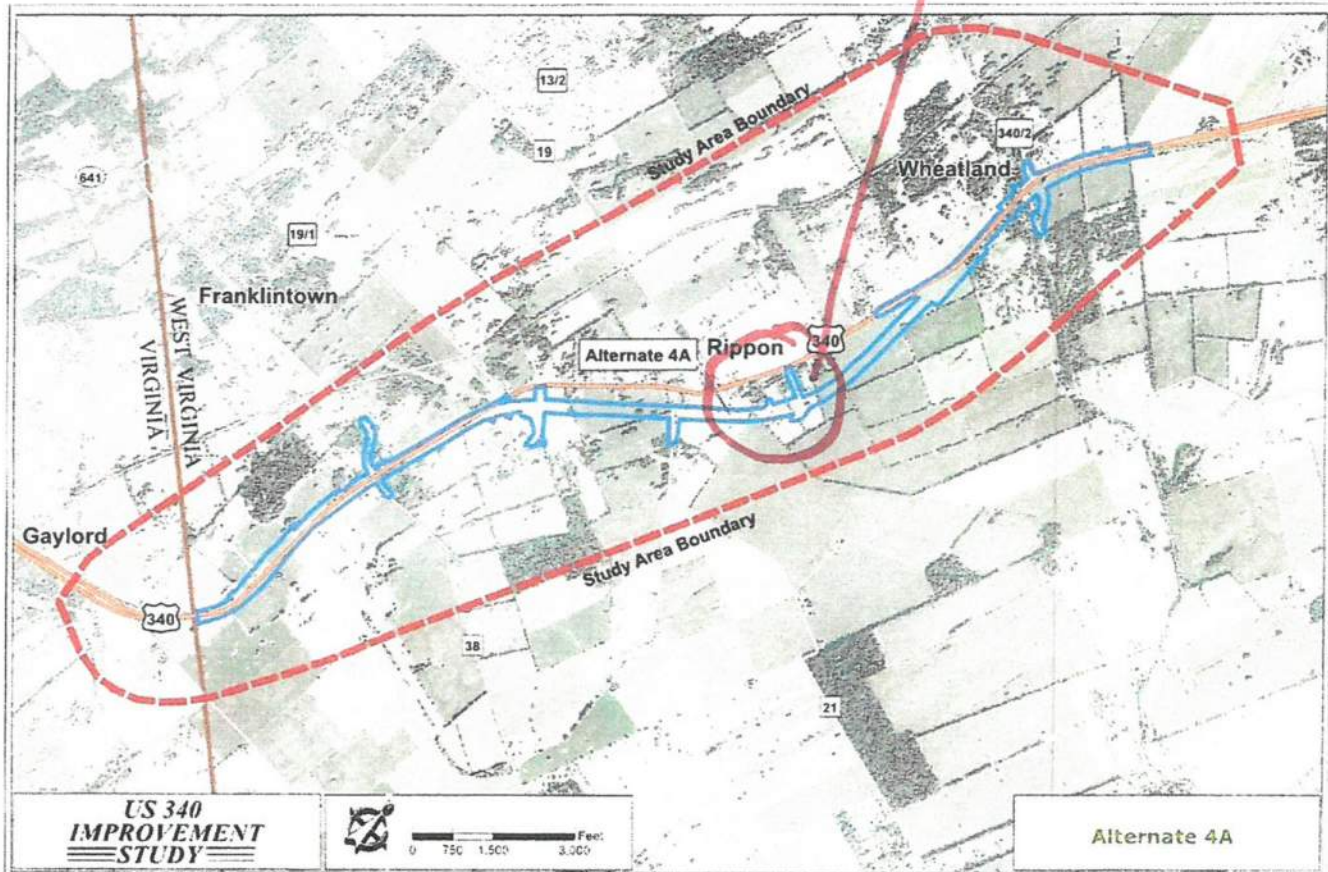
Signature	Name	Address	Phone Number
MM	Paul M Chapman	1505 Beaville Pike Rippon	304-279-6297
Richard Farmer	Richard Farmer	40 Scooter Ln	304-725-0882
Vally farmer	Vally Farmer	40 Scooter Ln	304-725-9882
Marlene Hawkins	Marlene Hawkins	188 Scooter Ln,	304-886-4353
Charlie Hawkins	Charlie Hawkins	188 Scooter Ln,	304-886-4353
Floyd D Harbert	Floyd D Harbert Jr.	162 Scooter Ln.	304-582-9930
Norman Harbert	Norman Harbert	162 Scooter Ln	208 4289 304- <del>582</del>
Donald Richards	Donald Z. Richards	28 Daylily Ct,	304-728-7904
Connie Richards	Connie Richards	28 Daylily Ct.	304-228-7704
Diana Doug	Diana Doug	138 - Scooter Ln	304-820-6526
Richard Viands	Richard Viands	72 Scooter Ln.	304-283-6188
Margaret Viands	Margaret Viands	72 Scooter Ln.	304-283-6985

As a resident of the effected area, I support the letter from Paul M Chapman. 4A is an acceptable alternative as long as No right-of-way changes are needed or desired on the west side of Rt. 340 in the Rippon community between Scooter Lane and Earl Ellifritz Road.

Signature	Name	Address	Phone Number
	Sherry Parrish	55 Gibsontown Rd.	304-676-0194
	David N. Slusher	3400 Berryville Pike	304-728-8150
	Robert J. Getts	3400 Berryville Pike	304-728-8350
	Robert F. Gray	1745 Berryville Pike	304-725-9225
	Robert F. Gray	1777 Berryville, Pike	304-725-9524
	Charles R. Jenkins	653 Frankintown RD	304-277-7349
	April Jenkins	653 Frankintown RD	304-279-9349
	Gregory L. Jenkins	64 Daylily Ct	304-725-7227
	Gregory Barbara Jenkins	64 Daylily Ct	304-725-7227
	Karen Bailey-Chapman	1505 Berryville Pike Rippon, WV 25441	304-725-7474
	MARK TWADDELL	1565 Berryville PK Rippon, WV 25441	301-606-5421
	Courtney Lewis	1565 Berryville Pike Rippon, WV 25441	540-247-9135

LUCY ATHEY  
properties

## ALTERNATE 4A (PREFERRED)

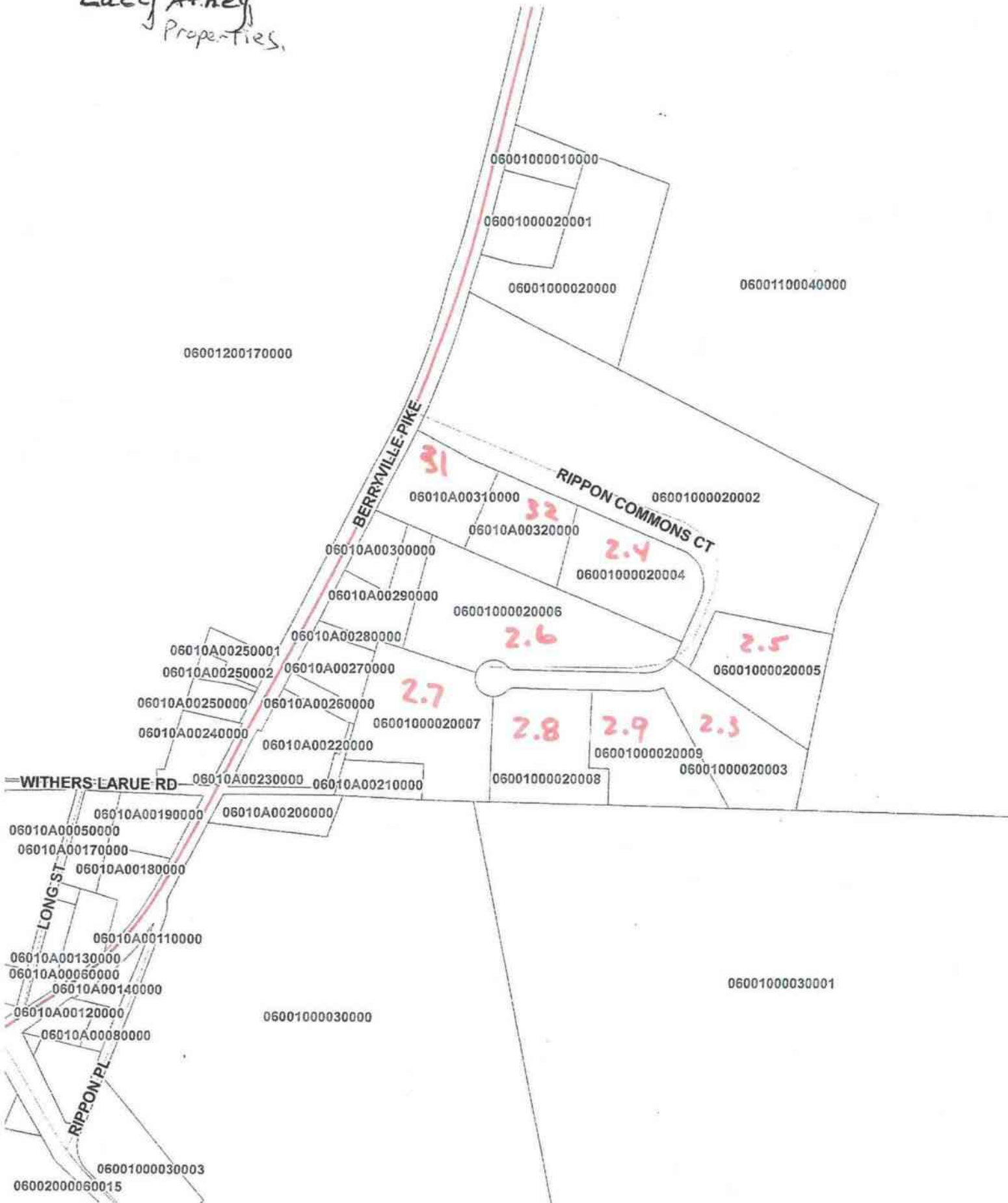


Alternate 4A (Preferred) begins south of the state line between West Virginia and Virginia where the existing 4-lane US 340 begins to transition to two lanes. Alternate 4A generally follows the existing roadway for a length of 1.4 miles. The alignment then turns east away from the existing roadway and crosses CR 21 (Meyerstown Road) on the east side of the community of Rippon, but just to the west of Alternate 4. Alternate 4A turns north and merges with the existing alignment near Wheatland. The proposed improvement continues northward along the existing roadway and ends at the multilane divided segment of US 340 south of Charles Town. The approximate length of Alternate 4A is 4.5 miles.

Alternate 4A has the least number of relocations (residential and business) and requires slightly more right-of-way than Alternate 4 but requires less right-of-way than Alternate 4B. It impacts 153 acres of historic property which is the same as Alternate 4 but is less than Alternate 4B. Alternate 4A impacts slightly more impacts to wetlands and farmlands than alternate 4 but is less than Alternate 4B. Alternate 4A has the least impacts to stream of the retained alternates. Alternate 4A has a cost of \$49,120,000.



Lucy Athey  
Properties





RIPON LODGE FARM  
2547 Berryville Pike  
PO Box 130  
Rippon, West Virginia 25441



September 26, 2016

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

Project: US 340 Four-Lane Improvement Study:  
VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County

Dear Mr. Scites,

Another Public Workshop regarding the upgrading of the existing Rt. 340, 4 +/- miles south of Charles Town & connecting with the Virginia Rt. 340. A small group of folks attended unlike prior workshops. These folks spoke for all of us who are actually involved with the Future Impact of the new route. They expressed the feelings of all of us that the DOH has taken an inordinate amount of time & money to give the community a "POSSIBLE" decision. We still do not have an absolute decision for the route; still only the "preferred" route creating more stress & frustration for those who live in the area.

Our thoughts & feelings have not changed since this process started in 1998. Numerous letters were written then & after previous work shops in 10/2012 & again in 6/2013.

As you approach the final designs I would hope that you will do your best to protect & preserve the Historic nature of the Kabletown area. The natural beauty & historic view sheds of the Blue Ridge Mountains which make our county what it is, as well as, the farming way of life with it's peace & integrity so fast disappearing from our countryside. Also, the Joseph Bell Spring by the mouth of the Wheatland Rd. which, from your information, is the largest spring in the impact area & produces some 500+ gallons of water a minute, should be considered as a highly important environmental

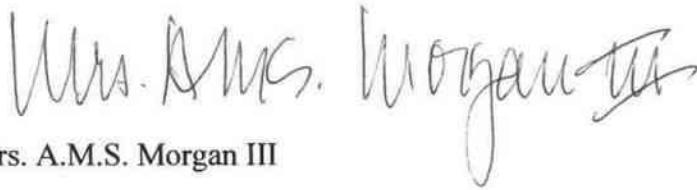
feature. It has been used by the area for generations & in today's dire water situations should be treated as a natural treasure.

Adding bike trails & walking paths to incorporate & share appreciation of this Natural Beauty of our area, as well as, still provide for the county's needed infrastructure progress is an important consideration.

The new road is greatly needed. The traffic has become overwhelming at times & very dangerous in the small Village of Rippon.

Hopefully there will be a commitment from the DOH soon! We all need to move on as a community.

Sincerely yours,

A handwritten signature in cursive script that reads "Mrs. A.M.S. Morgan III". The signature is written in dark ink and is positioned above the typed name.

Mrs. A.M.S. Morgan III

DATE: *September 29, 2016*

Mr. RJ Scites, P.E.  
Director, Engineering Division  
West Virginia Division of Highways  
1334 Smith Street  
Charleston, West Virginia 25301

RECEIVED  
OCT 04 2016  
ENGINEERING  
DIVISION

DATE: **Tuesday, August 30th**  
LOCATION: **Charles Town City Hall  
Council Chambers Room**  
SUBJECT: **INFORMATIONAL WORKSHOP PUBLIC MEETING/HEARING**  
PROJECT: **US 340 Four-Lane Improvement Study: VA Line to Charles Town Bypass  
U219-340-0.00  
NH-0340(030)E  
Jefferson County**

COMMENTS DUE BY **Tuesday, September 30, 2016**

Please consider the following comments:

*I would like to keep/replace the visual block to the highway if possible. Also, in bringing the road (access road) around to the front of the houses, do you need to cut into the front lawn of the neighbors? Seems unnecessary. Also - correction of property lines on the tax maps has been made - will need full survey.*

(Please print the following information)

NAME: *Ruth Parker*

ADDRESS: *60 Strathmore Farm Lane*

ORGANIZATION (IF ANY):

How did you hear about the Informational Workshop Public Meeting?

*mail*

Project Information and Comment Sheets

Can be found online at our WVDOH Website at <http://go.wv.gov/dotcomment>.

Under Engineering Projects, Open, and then click US 340.

## US 340 Improvement

Jefferson County, WV

WVDOH Response to Comments Received (P = Public; S = Speaker)

Comment ID	Commenter Agency/Name	Comment	WVDOH Response
P-1	Allen Wilson 317 Ryans Glen 8/30/2016	Placement of buffer/embankment. Trees, and landscaping to provide noise and site aesthetics for easement areas.	The clear roadside recovery area for this type of facility is generally 30 feet from the edge of the travel lane. To provide a landscape "buffer" would require additional right of way and result in additional impacts to adjacent properties. If the landscape feature was placed within the proposed right of way, it would need to be protected by guardrail which, in and of itself, is a roadside hazard and would not be recommended.
P-2	Jamie and Sam Miller 336 Ryans Glen Dr 8/30/2016	Supports US 340 Improvement project Awaiting Record of Decision Concerns of safety at subdivision entrance	FHWA and WDOH appreciates your support for the US 340 Improvements project. A Record of decision (ROD) is anticipated in 2017. Your concerns regarding safety at the subdivision entrance to Ryan's Glen are noted. The proposed design should alleviate your concerns by utilizing current, nationally accepted design standards for highway design and intersection design including both intersection sight distance and stopping sight distance.
P-3	Noel Henderson 309 Pellinor La 8/30/2016	Supports Alternate 4A	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project.

Comment ID	Commenter Agency/Name	Comment	WVDOH Response
P-4	Stanley Miller 336 Ryans Glen Dr 8/30/2016	Supports Road Improvements Supports Alternate 4A Desires a buffer (trees) between new road and subdivision Desires a decision soon.	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.  The clear roadside recovery area for this type of facility is generally 30 feet from the edge of the travel lane. To provide a landscape “buffer” would require additional right of way and result in additional impacts to adjacent properties. If the landscape feature was placed within the proposed right of way, it would need to be protected by guardrail which, in and of itself, is a roadside hazard and would not be recommended.  A Record of Decision on the US 340 Improvements is expected in 2017.
P-5	Lucy M. Athey 9/23/2016	Owns nine parcels that are severely impacted by the project. Approved by JCPC for house construction.  Unable to market lots due to uncertainty over the project. Lots are severed, complete takes, and others may be inappropriate for house and septic construction.  Asks the State to consider advance purchase of parcels to avoid potential higher costs if homes are constructed on the lots.	A property owner may request early acquisition by writing the WVDOH:  Eric B. Hudnall, JD Director - Right of Way Division West Virginia Division of Highways Capital Complex, Bldg 5 1900 Kanawha Blvd. East Charleston, WV 25305
P-6	Paul Michael Chapman 1505 Berryville Pike 9/26/2016	Owns parcel 121 as depicted on mapping available at the 8/30/2016 workshop/hearing.	Thank you for acknowledging that your comments from 2012 and 2013 have been addressed.

Comment ID	Commenter Agency/Name	Comment	WVDOH Response
		<p>In support of Alternate 4A and requests that the State move forward with construction.</p> <p>Included a copy of his 2012 request regarding access to the new roadway along with the signatures indicated.</p>	<p>FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.</p>
P-7	A.M.S. Morgan, III Rippon Lodge Farm 9/26/2016	<p>Asks that final design protect and preserve the historic nature of the Kabletown area.</p> <p>Considers the Joseph Bell Spring to be a highly important environmental feature and natural treasure.</p> <p>Bike trails and walking paths is an important consideration.</p> <p>Supports the US 340 Improvements.</p>	<p>WVDOH is working with the State Historic Preservation Office (SHPO) on a Memorandum of Agreement (MOA) that will address mitigating any effects that will help preserve the natural setting of the cultural resources along the proposed route.</p> <p>The Joseph Bell Farm Spring is an important water resource that will be addressed in more detailed studies in subsequent phases of design. The WVDOH will make sure that water flow from the spring is maintained at all times.</p> <p>Non-motorized forms of transportation (bicycles and pedestrians) are not a primary consideration in the design of the US 340 Improvements project. This is partially due to the 60-mph design speed (55-mph posted speed limit) and driver expectation. Vehicle operators are not expecting to encounter bicycle and pedestrian traffic on this type of facility. With that said, a 10-foot wide paved shoulder is proposed adjacent to the outside through lanes.</p> <p>FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.</p>

<b>Comment ID</b>	<b>Commenter Agency/Name</b>	<b>Comment</b>	<b>WVDOH Response</b>
P-8	Ruth Parker 60 Straithmore Farm Lane 9/29/2016	<p>Desires to keep/replace the visual obstruction to the new highway.</p> <p>Realignment of Straithmore Farm Lane should be considerate of adjacent properties.</p> <p>Property lines shown on the maps should be corrected – a full survey is needed.</p>	<p>Dave’s auto will be demolished as part of the proposed US 340 Improvements Alternative 4A. Clearing and grading will be necessary to provide for the roadway construction and a clear roadside area. Trees along the edge of the proposed right-of way will be left in place to the maximum extent possible.</p> <p>Impacts to adjacent properties are a consideration in the realignment of minor roads intersecting a major road. In this case, Wheatland Road and Straithmore Farm Lane will be realigned to intersect US 340 across from one another at a location that creates a single median opening thereby providing full movements from both roads in a safe manner.</p> <p>Property lines depicted on the public meeting displays are captured from GIS information available from Jefferson County. Actual field location surveys and property boundaries will be established by a licensed surveyor prior to the final design phase and construction.</p>
S-1	Debbie Wilson Ryan’s Glen	Asked if alignment could be shifted away from Ryan’s Glen subdivision?	Thank you for your comment. Alternates 4A, 4B, 4C, 10A, 10B, and 11 were created as a result of public input and a desire to reduce impacts to National Register Historic resources. A great deal of effort has been expended on developing and studying these alternates. While minor shifts in the alignment may be feasible once field location surveys are obtained by the design team, major shifts in the alignment are not likely nor practical

Comment ID	Commenter Agency/Name	Comment	WVDOH Response
			due to greater impacts to the Kabletown Rural Historic District.
S-2	Allen Wilson Ryan's Glen	Asked for consideration of noise barriers and landscaping to buffer development from impacts of new roadway.	<p>Thank you for your comment. Noise is addressed in Chapter IV, pages IV-55 – IV 68, of the SDEIS. Based on our study, only two receptors exceeded the thresholds for Noise Abatement Criteria (NAC). Noise barriers at these locations were considered feasible but not reasonable on the basis of cost.</p> <p>The clear roadside recovery area for this type of facility is generally 30 feet from the edge of the travel lane. To provide a landscape “buffer” would require additional right of way and result in additional impacts to adjacent properties. If the landscape feature was placed within the proposed right of way, it would need to be protected by guardrail which, in and of itself, is a roadside hazard and would not be recommended.</p>
S-3	Nance Briscoe	Asked for full disclosure of road planning activities.	<p>Thank you for your comment. Federal, State, and Local government agencies must work together and share information with each other and the general public. Reliable, accurate information must be made available. WVDOHs attempts to contact property owners in the study area is often times futile due to inaccurate information. Often, addresses on file are returned as “undeliverable.” For this reason, notifications are often provided in multiple forms such as newspapers, websites, newsletters, and direct mailings.</p>



Comment ID	Commenter Agency/Name	Comment	WVDOH Response
S-4	Elizabeth Bainbridge	Move forward with solutions to traffic and safety problems in Rippon as well as other areas in need along US 340.	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.
S-5	Joseph Cepelka	Supports Alternate 4A.  Consider modifying to avoid homes in Ryan’s Glen.	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.  Alternates 4A, 4B, 4C, 10A, 10B, and 11 were created as a result of public input and a desire to reduce impacts to National Register Historic resources. A great deal of effort has been expended on developing and studying these alternates. While minor shifts in the alignment may be feasible once field location surveys are obtained by the design team, major shifts in the alignment are not likely nor practical due to greater impacts to the Kabletown Rural Historic District.
S-6	Cheryl McConnel	Requests for full disclosure moving forward. Mail notices to all residents of Ryan’s Glen.  Supportive of improvements but would prefer Alternate 4C.	Thank you for your comment. Federal, State, and Local government agencies must work together and share information with each other and the general public. Reliable, accurate information must be made available. WVDOHs attempts to contact property owners in the study area is often times futile due to inaccurate information. Often, addresses on file are returned as “undeliverable.” For this reason, notifications are often provided in multiple forms such as newspapers, websites, newsletters, and direct mailings.

<b>Comment ID</b>	<b>Commenter Agency/Name</b>	<b>Comment</b>	<b>WVDOH Response</b>
			FHWA and WDOH appreciates your support for the US 340 Improvements project. Alternate 4C was eliminated from consideration due to the high extent of impacts as described in Chapter III of the SDEIS.
S-7	David Tabb	Wants to see the improvements completed.	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.
S-8	Douglas Stolipher	Wants to see the improvements completed.	Thank you for your comment. FHWA and WDOH appreciates your support for the US 340 Improvements project and Alternate 4A.

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